
THE LIBRARY OF CONGRESS
1800

Scanned from the collections of
The Library of Congress



Packard Campus
for Audio Visual Conservation
www.loc.gov/avconservation

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 65 NEW YORK, U. S. A., TUESDAY, OCTOBER 1, 1940 TEN CENTS

1967

92.4% of Exhibitors Are Opposed to Block-of-Five

How Exhibitors Voted in Poll

Following is how exhibitors stand with regard to the block-of-five provision of the proposed New York case consent decree, as against the present industry system of block booking with the privilege of cancelling a fixed percentage of pictures, as indicated in *Motion Picture Daily's* test poll.

	FOR PRESENT SYSTEM	FOR DECREE PROVISION
Affiliated Exhibitors	94.8 per cent	5.2 per cent
Independent Exhibitors.....	86.2 per cent	13.8 per cent
Both Affiliated and Independent Exhibitors	92.4 per cent	7.6 per cent

Favor Present System in Motion Picture Daily Nationwide Poll

By SAM SHAIN

MOTION PICTURE DAILY'S test poll among exhibitors, both affiliated and independent, shows that 92.4 per cent of the country's showmen favor the present system of block booking with the right to cancel a fixed percentage of pictures, as against 7.6 per cent who favor the unit-of-five provision of the New York case consent degree.

Among the independents, the preference for the Government plan is greater than among the affiliated theatre men, by 8.6 per cent, although, taken as a whole, both groups are overwhelmingly opposed to the Government plan of blocks-of-five.

Only 5.2 per cent of the affiliated showmen look with favor upon the decree provision, whereas 13.8 per cent of the independents prefer it.

Among the independents, 86.2 per cent prefer the present system with its cancellation privileges, and among the affiliated exhibitors 94.8 per cent favor it.

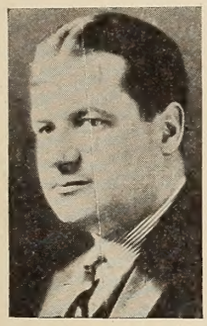
This test poll was undertaken by MOTION PICTURE DAILY after the

(*Continued on page 4*)

UA to Launch 'Dictator' in England Now

Immediate Release Aimed To Cheer the British

United Artists is preparing to launch Charlie Chaplin's "The Great Dictator" in England at once so that the British, who are now fighting for their very existence, may obtain immediately the fullest cheer and uplift in morale from the picture, which ridicule's that country's worst enemies, according to home office authorities.



Arthur W. Kelly

This immediate release in England of the picture is being supervised by Arthur W. Kelly, vice-president in charge of foreign sales,

(*Continued on page 6*)

Goldwyn Amends UA Suit Complaint

His contract with United Artists having five years to run, until Sept. 2, 1945, Samuel Soldwyn yesterday filed an amended complaint to his suit against that company, seeking to cancel this contract and enjoining U. A. from interfering with any plans he may have to distribute elsewhere.

He also asks $215,000 damages for himself and his company, Samuel

(*Continued on page 6*)

Three Hanbury Kin Dead, Two Survive

Advices reaching the RKO home office yesterday from London indicate that the son, eldest daughter and grandchild of Ralph Hanbury were killed with him in the direct hit of a Nazi bomb on his country home near London late last week. Mrs. Hanbury and their son-in-law are in a London hospital. Hanbury was chairman and managing director of RKO Radio Pictures, Ltd.

Ascap Washington Contest Is Delayed

TACOMA, Wash., Sept. 30.—Ascap's litigation to test the constitutionality of Washington's anti-Ascap law, which has been in the Federal courts here for several years, was further delayed today. A Federal statutory court granted both sides 30 days in which to file briefs on confirmation of

(*Continued on page 6*)

May Settle 2 Dallas Anti-Trust Actions

DALLAS, Sept. 30.—Two of four pending suits against Interstate and Texas Consolidated circuits charging violations of the Sherman Anti-trust Act may be settled out of court, Federal Judge William H. Atwell was told when the cases were called for hearings on motions in the United

(*Continued on page 6*)

John Royal May Leave NBC

JOHN F. ROYAL, vice-president in charge of programs for NBC for the past nine years and key man in the development of many of the network's outstanding programs of the past decade may resign that post shortly, according to reports. In that event Sidney N. Strotz, vice-president in charge of the Central Division, will come from Chicago to New York to take over the vacated post. Until he was elevated to his present post, Strotz was program director in Chicago under Niles Trammel, when the NBC president was in charge of the Chicago division.



John F. Royal

It is understood Royal has been invited by the network to take charge of the Pacific Coast Division but he has not reached any decision on this matter. His future plans are unknown at this time.

Royal assumed charge of the program division in 1931 and he has formulated its policies since that time. He has developed scores of outstanding radio programs. He is generally credited with having induced Arturo Toscanini to direct the NBC Symphony Orchestra in one of radio's foremost sustaining shows. Programs particularly suited to gain an audience in Latin America have been developed by Royal. When Toscanini toured South America earlier this year Royal preceded him to arrange the details and prepare for the orchestra's reception. Prior to joining NBC, Royal had been manager of WTAM, Cleveland, for two years. For 19 years, from 1910 to 1929, he was a theatre executive for Keith-Albee in Cincinnati and Cleveland.

Strotz joined NBC as program and artists' service manager in the Central Division in 1933. In 1938 he was named general manager and became vice-president during the same year.

Decree Group Named Today

A committee representing the five companies which will be signatories of the proposed Federal consent decree will be chosen today to confer with Government officials in Washington at the end of the week, at which time the views of the Department of Justice on the decree will be made known.

The committee will consist of one or two representatives of each of the five consenting companies. It will meet Thursday or Friday in Washington with U. S. Attorney General Robert H. Jackson, Assistant Attorney General Thurman Arnold and members of his staff.

A final agreement on the language of the decree is scheduled to be reached today at a meeting at the Bar

(*Continued on page 4*)

U.S. Films Stronger In Mexico Market

MEXICO CITY, Sept. 30.—Business is getting steadily better for American pictures in Mexico, owing to the entire freezing out of German films due to a decided anti-Nazi spirit that has developed among Mexicans, a new pro-Americanism, few French films and even fewer domestic pictures.

Observers believe American product soon will dominate the country virtually 100 per cent as there is little prospect of the home industry being able to make enough pictures to supply the demand and the shutting off of European imports.

American pictures are preferred in Mexico. Some of them are accorded the high compliment of loud applause at the end of each exhibition. The public is keen for anti-Nazi films. Two outstanding examples of that are "The Fatal Hour" and "Four Sons," both of which are doing very well here.

Wis. Theatres Face Daylight Time Fight

MILWAUKEE, Sept. 30.—Wisconsin exhibitors can look forward to an attempt being made in the 1941 legislature to repeal the 1931 law which prohibits the observance of any other than standard time in the state.

Dr. Ralph P. Sproule, Milwaukee, new president of the State Medical Society of Wisconsin, will ask its committee on public policy at its next meeting to advocate statewide daylight saving in Wisconsin starting next Spring.

Exhibitors, labor and farmers have battled past proposals to legalize daylight saving time in Wisconsin.

MAINLINERS to
Los Angeles



NO CHANGE OF SLEEPERS
The Continental Lv. 7 pm
The Overland Flyer Lv. 10:40 pm
Luxurious thru coast-to-coast Mainliners — at United's high, smoother flight levels.
Travel agents, hotels, or
UNITED AIR LINES
67 Wall St. or 58 E. 42nd St.
MU-2-7300

Personal Mention

HARRY M. WARNER arrived from the Coast yesterday for a visit of several weeks in the East.

•

SI SEADLER, M-G-M advertising manager, returned from the Coast by air yesterday after a week's visit.

•

ERICH POMMER arrived from the Coast yesterday for a brief vacation.

•

TONY GABLIK, Warner art director, will have two paintings on exhibit next month at the Eberhardt Museum, Scranton, Pa.

•

CLARENCE ROBSON, Eastern Canadian supervisor for Famous Players Canadian, is back at his post after a long illness in Toronto. R. C. RODDICK, manager of the Capitol, Halifax, acted as substitute during that period.

•

W. H. GOLDING, manager of the Capitol, St. John, N. B., has been named one of the six candidates of the local Civic Improvement League for the City Council.

•

IRVING LINER of Proctor's, Troy, N. Y., was a visitor here yesterday.

•

WILLIAM STOEBER has resigned as manager of the Burien, Lake Burien, Wash., and will leave for Chicago soon on a new business venture.

•

MYER ADELMAN, head of the New Jersey Messenger Service, will be tendered a dinner by South Jersey film men on Oct. 20 at the Walt Whitman Hotel, Camden, N. J.

•

HAL BOEHME has joined Film Alliance of the U. S. as Seattle representative.

•

ISABEL SLICKMAN, relief cashier for the WILLIAM GOLDMAN theatres in Philadelphia, and LEONARD SILVER, attorney, were married in Philadelphia on Saturday.

J. J. NOLAN, RKO vice-president, left for the Coast over the weekend after several weeks here.

•

SIDNEY H. ELLIS, managing director of the Broad, Philadelphia, and his bride return this week from a two-week honeymoon trip to the West.

•

FRANK O. ACKLEY, manager of the Carman, Philadelphia, is ill with pneumonia.

•

LOU BROCK, SAM LYONS, TOBY GRUEN, OSCAR A. DOOB, HERMAN ROBBINS, J. J. UNGER and CHARLES M. REAGAN at Nick's Hunting Room in the Astor for lunch yesterday.

•

ARTHUR LOEW, HERMAN WOBBER, HARRY BUXBAUM, WILLIAM SUSSMAN, JOSEPH LEE, BARNEY BALABAN, SIDNEY PHILLIPS, FRED STONE, JOHN GOLDEN, LAUDY LAWRENCE, ROBERT WEITMAN, CLAYTON BOND, JACOB WILK, HARRY BRANDT and LEE SHUBERT lunching yesterday at Sardi's.

•

GEORGE ABBOTT, B. S. MOSS, RICHARD RODGERS, LARRY HART and WILLIAM BRANDT at Lindy's (51st St.) yesterday for lunch.

•

MARVIN SCHENCK, EUGENE PICKER, EMANUEL SILVERSTONE, MAX WEISFELDT and LOU WEINBERG having lunch at Lindy's (next to the Rivoli) yesterday.

•

BEN JENNINGS, I. E. LOPERT, MAURICE BERGMAN, HARRY THOMAS, THOMAS LOACH, SAM CITRON and DOUGLAS ROTHACKER at the Tavern yesterday for lunch.

•

CHARLES DUTKIN, Philadelphia exhibitor, has joined the Favini circuit as manager in Peckville and Jessup, Pa.

•

MELVIN HEYMANN of the M-G-M publicity department has a birthday today.

Corbin Is Named Schenck Attorney

Harold H. Corbin has been retained by Joseph M. Schenck, 20th Century-Fox board chairman, as his attorney in the Government suit charging Schenck with income tax evasion. Corbin replaces the late Max D. Steuer as Schenck's attorney. Notice of the substitution of attorneys in the case was filed yesterday in U. S. District Court here.

Ohio ITO to Honor Smith with Banquet

COLUMBUS, Sept. 30.—The I. T. O. of Ohio will tender a testimonial banquet to Martin G. Smith, president, on the evening of Oct. 30, the first day of the annual convention. Smith, who is president and general manager of Smith and Beidler Theatres, Toledo, is serving his seventh consecutive term as president of the Ohio unit, an Allied affiliate.

Hays Pledges Distributors' Aid To Exhibitors in Red Cross Drive

WILL H. HAYS yesterday expressed appreciation on behalf of the industry for the efforts of all those who are participating in the American Red Cross annual roll call, in which theatres throughout the country will join beginning the week of Nov. 10.

"Inevitably," Hays said, "most of the responsibility for this effort rests on the theatres, and I want to assure all exhibitors of the full cooperation and assistance of the producers and distributors to help make the campaign a major contribution to the Red Cross, which is now called upon, in addition to its permanent activities, to undertake added burdens in connection with war relief and national defense. As showmen, local theatre operators are, of course, in a position to lend most impressive and effective support to the Red Cross campaign."

It Was the Beard

Mexico City, Sept. 30.

PROF. AURELIO MANRIQUEZ, who from 1929 to 1935, while he was politically exiled in the United States, worked as a Hollywood extra, chiefly, he says, because of his splendid beard and ability to speak 10 languages, has become the director-general of public libraries in Mexico.

The professor was recently granted amnesty and came home.

Set Advisory Board For Lodge Banquet

Leading executives have been named to the advisory board of the Cinema Lodge of B'nai B'rith for its first annual banquet and ball at the Hotel Pennsylvania, Oct. 26, according to Alfred W. Schwalberg, president.

Heading the board are: Barney Balaban, Joseph Bernhard, Nate J. Blumberg, Harry Brandt, Jack Cohn, Max Fleischer, Nathan Levy, Abe Montague, Charles C. Moskowitz, Dr. David De Sola Pool, Abe Schneider, Samuel Schneider, Murray Silverstone, Nate Spingold, Herman Starr, Major Albert Warner, H. M. Warner and Abraham S. Weber. A souvenir journal will be published in conjunction with the banquet. Screen, stage and radio stars will be on the entertainment program.

Betty Hildebrandt Rites Held Today

Funeral services will be held at the Universal Chapel tonight for Betty Hildebrandt, 32, secretary to Hal Horne at the Walt Disney office here. She died Sunday at the Midtown Hospital of complications which set in after an appendicitis operation. Cremation will take place tomorrow.

Miss Hildebrandt had been employed at the Disney office for the past five years. The office will be closed tomorrow morning in tribute.

Knorr, Isaac Join Benefit Show Staff

Arthur Knorr of the Roxy Theatre and Lester Isaac of Loew's again will handle the lighting system required for the seventh annual "Night of Stars" benefit show at Madison Square Garden Nov. 27.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

Right out of the family album and into your heart!



With Gloria Jean bringing Hollywood's greatest names of today and yesterday... in the most warmly human picture of the year!



Hear Gloria... at her Glorious Best... Sing
"A Little Bit of Heaven"
"After Ev'ry Rainstorm"
"What Did We Learn at School"
"Dawn of Love"
"Highschool Cadets"

UNIVERSAL *presents*

A LITTLE BIT OF HEAVEN

starring **GLORIA JEAN** with

ROBERT STACK • HUGH HERBERT • C. AUBREY SMITH
STUART ERWIN • NAN GREY • EUGENE PALLETTE
BUTCH & BUDDY • BILLY GILBERT *and Gloria's "uncles"*

FRANK JENKS • NOAH BEERY, Sr. • MAURICE COSTELLO CHARLES RAY
FRED KELSEY • MONTY BLUE • TOM DUGAN • WILLIAM DESMOND
EDGAR DEERING • KENNETH HARLAN • PAT O'MALLEY • DAVID OLIVER

Screenplay by Daniel Taradash, Gertrude Purcell, Harold Goldman · Original Story by GROVER JONES

Directed by **ANDREW MARTON** • Produced by **JOE PASTERNAK**

A JOE PASTERNAK PRODUCTION NATIONAL RELEASE OCT. 11th

Showmen Favor Cancellation System

Block-of-Five Is Opposed By 92% in Poll

(Continued from page 1)

Government hearing which was held in Washington Sept. 3 for exhibitors before Assistant U. S. Attorney General Thurman Arnold, and the results are herein presented as a reflection of general exhibitor sentiment in regard to the selling provisions of the proposed decree.

In conducting this test poll MOTION PICTURE DAILY sent a questionnaire to exhibitors who were requested to check their preferences of the following:

(a) The existing system of block booking with the right to cancel a fixed percentage of pictures.

(b) The plan of the proposed consent decree for the sale of pictures in blocks-of-five without cancellation.

Alternative Proposals Suggested

In responding to the questionnaire many voluntarily suggested alternative proposals and otherwise expressed views on the matter.

All who thus voluntarily gave their views emphasized the importance of the right of cancellation, in any system of picture selling.

Some argued for an "unrestricted right of cancellation." Others suggested that whatever cancellation privilege may be provided, under any plan, that it be for not less than 20 per cent and, if possible, as much as 25 per cent.

Some have written expressing the view that the Government selling plan might be acceptable if it were amended to include such a cancellation privilege.

Many argued that the decree plan will prove more burdensome upon them than even the present system.

Although the voting by exhibitors was confidential, some felt so strongly about the situation that they signed their names to their replies.

Some of the Views

Here are some of the views:

An Oklahoma showman writes that the decree is a harsher block booking plan than that which is practiced at present in the industry.

A California exhibitor says he prefers the present system "because under the unit-of-five provision the distributors will sell four bad pictures and only one good picture—and the exhibitor will be as bad off as ever."

A Connecticut theatre owner states that the sale of pictures in blocks-of-five is block booking with a vengeance, in fact it is "block booking with the U. S. Government's backing."

From West Virginia a theatre owner writes:

"Have the distributor tell the exhibitor what pictures will be produced and stick to it as they did in the old days, then the present system of block booking with the right to cancel 20 per cent would be best."

Another recommends the present block booking system with 20 per cent cancellation, but suggests that the exhibitor be granted an additional privilige of cancelling another 10 per cent provided the exhibitor agrees to pay half of the agreed rental on the extra 10 per cent.

From a Missouri town the complaint is forwarded that the present system is all right if "cancellation will be recognized without so much harranguing by bookers and managers."

A Kentucky exhibitor suggests he be given the right to purchase only the number of pictures he can use, with the right to cancel 20 per cent.

A South Carolina showman urges "selective contracts under which an exhibitor may buy one or 50 features or shorts, separately."

An exhibitor from Texas, who favors the present system, adds that "pictures should be designated as to classification at time of release." And another from the Lone Star state says the decree is "nothing short of industry regulation."

Exhibitor Viewpoints

EDITOR, MOTION PICTURE DAILY:

Your card received concerning present system of block booking or blocks of five.

Really don't know which is the best. Perhaps you know the situation of the small exhibitor, but nevertheless when we sign a contract with a film company we sign for a block—for example: My contract with M-G-M is written for 40 features, this being 12 less than full contract, and further states that "'exhibitor agrees to play and/or pay for a minimum of 40 features from this contract"—therefore what chance have we for any elimination? None.

If we play just one company's product we can use such a contract—but what chance does this give us for a variety of stars?

In blocks of five we may have to play some features we don't like but we won't be required to take these blocks of five unless we want to.

We, the same as lots of other exhibitors, only have one or perhaps two features a week. Therefore, I believe, for the small exhibitor blocks of five are best.

GEORGE A. WALKER, Manager
Nancy Theatre
Bridgewater, S. D.

EDITOR, MOTION PICTURE DAILY:

In answer to your poll card on block booking I favor neither one of the systems listed.

There is only one fair way to purchase film and that is for the exhibitor to have the privilege to buy and play what he feels is suitable for his trade.

In no other business is the retailer at the mercy of the wholesaler, who dictates what the retailer may give to his patrons for their consumption.

TRUMAN T. REMBUSCH,
Secretary-Treasurer,
Syndicate Theatre, Inc.,
Franklin, Ind.

Following is a copy of a letter on the consent decree addressed by W. N. Youngclaus, independent exhibitor of Grand Island, Neb., to Thurman Arnold, Assistant U. S. Attorney General:

MR. THURMAN ARNOLD,
DEPARTMENT OF JUSTICE,
WASHINGTON, D. C.

Having been in the motion picture business for some 25 years or more as and indpendent exhibitor, it is my firm belief and conviction that it would be the height of folly for the Department of Justice to insist on major film companies or in fact anyone being compelled to sell pictures or offer them for sale in blocks of five. This in my opinion would be ruinous to the small independent exhibitor even though it may have its merits as far as certain exhibitor bodies are concerned who themselves would like to become powerful enough to dictate, not only to the film companies, but to the small independent exhibitor as well. I say this because in the past I have been a member of some of these so called independent organizations, and while some of them may be sincere and probably are, I still feel I am more of an independent exhibitor in not belonging to any of them, and this has been borne out by experience.

I suggest, Mr. Arnold, that the film companies be permitted to sell film to exhibitors on a 20 per cent cancellation basis which should give every honest exhibitor enough leeway so that he may eliminate any objectionable or poor pictures. If this is not done in this manner or something similar, I offer the prediction that chaos will result in this business of ours which as you know is of a limited product.

Trade showings may be all right in certain sections where exhibitors have the facilities for transportation and money to attend such showings, but certainly it cannot be expected that exhibitors in towns such as we have in Nebraska and Iowa, for instance, can every so often, be expected to make a trip in order to find out what type of pictures are being sold.

It goes without saying, too, that naturally film rentals must go up because of the additional expense incurred by the film companies, for they too certainly, if exhibitors will admit it, are going to have a tough time of it and in our section of the country at least, the people cannot afford additional admissions in order to overcome higher film rentals.

W. N. YOUNGCLAUS,
President, General Manager,
Western Theatre Enterprises, Inc.,
Grand Island, Neb.

Pettijohn Operated On

C. C. Pettijohn, M.P.P.D.A. general counsel, was reported resting easily at St. Agnes Hospital, White Plains, yesterday following a gall bladder operation performed over the weekend.

Roach Arrives Today

Hal Roach and Hal Roach, Jr., arrive today with a technical crew from Hollywood aboard the Broadway Limited to obtain background on this train to be used in his film "Broadway Limited."

McConville to So. Am.

J. A. McConville, Columbia foreign manager, and Jack Segal, his assistant, left by plane over the weekend for a visit to the company's Central and South American offices.

Decree Unit To Be Named Here Today

(Continued from page 1)

Association here of representatives of all consenting companies with Department of Justice officials. Assistant Attorney General James Hayes returned from vacation last night to attend today's meeting. Robert Sher, Robert Wright and Seymour Krieger, Assistant Attorneys General, also will attend.

The company representatives spent yesterday checking the finished draft of the decree, completed last week, and will settle with Government officials all disputed subjects developed during the checking process at today's meeting. No changes of any consequence have been made in the Aug. 3 draft of the decree.

Meanwhile, the arbitration provisions have met with no vital objections from any of the consenting companies and it is assumed that the provisions will be accepted as they stand.

The American Arbitration Association has already begun a canvass of its arbitrators in the 33 exchange centers in which arbitration boards will be set up to determine those eligible for service on the industry boards. Designations of arbitrators to these panels will not be undertaken, however, until final court approval of the decree has been given.

The Association is preparing a budget of operating costs of the 33 boards which it will submit to Federal Judge Henry W. Goddard for approval, probably at the hearing scheduled for next Monday.

Defendants Get Time In Oklahoma Suit

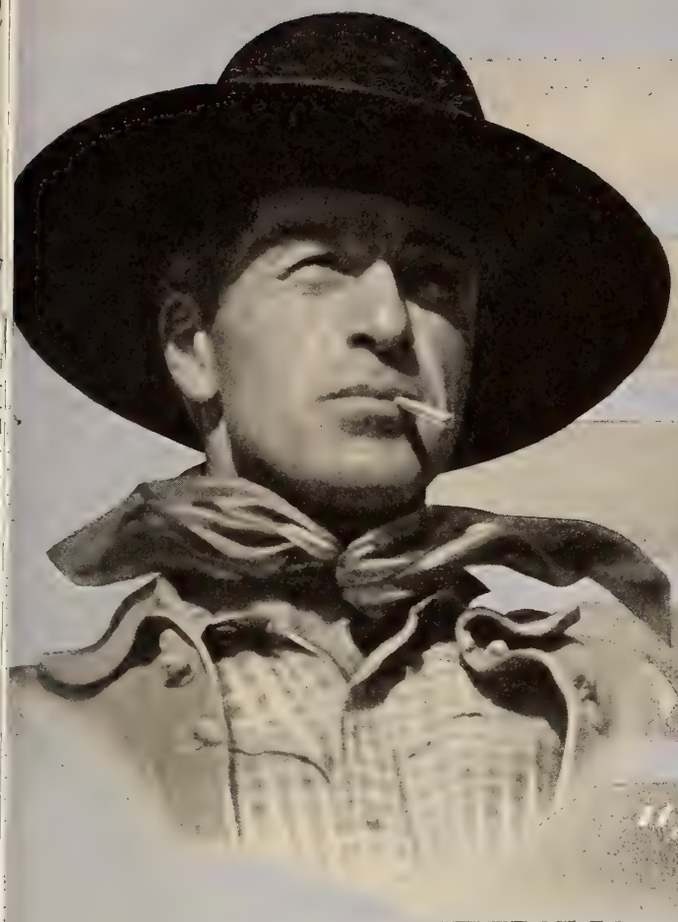
OKLAHOMA CITY, Sept. 30.—Defendants in the Government's anti-trust suit against the Griffith Circuit and major producers and distributors today were given an extension of time from Oct. 1 to Oct. 15 in which to file answers or to make objections to the Government's interrogatories in the case.

The extension presumably was granted to await the outcome of the scheduled hearing in New York, Oct. 7, on the proposed Federal consent decree. If the decree is approved, five of the defendants in the Government suit here would be relieved of further defense obligations in this action.

Kent Drive Meeting Held at N. Y. Branch

A second series of Kent Sales Drive meetings at 20th Century-Fox branches was concluded yesterday with a rally at the exchange here. Those attending included Sidney R. Kent, Herman Wobber, M. A. Levy, Harry Buxbaum, Roger Ferri, Joseph Lee, Truman Talley, Felix Jenkins, Ben Miggins, William Gehring, William Sussman and William Kupper.

Wobber and Levy returned yesterday from a drive tour around the country. Levy, Minneapolis district manager, leaves today.



94 ENGAGEMENTS
94 RECORDS
GOLDWYN
COOPER
"The WESTERNER"

$401,555 GROSS IN 4 DAYS-WOW!

. . . starting with the world premiere in Fort Worth and continuing in its first 94 engagements, first four days of national playing time took in this smash-bang figure, hitting from 145% to 350% of box-office averages!

Sensational business throughout Texas reported from the INTERSTATE CIRCUIT and the JEFFERSON AMUSEMENT COMPANY!

And *NOW* sensational business in LOEW theatres everywhere!

Released thru UNITED ARTISTS

Directed by William Wyler

Rooney, 'Love' Break Loew's State Record

Mickey Rooney in a personal appearance at Loew's State with M-G-M's "I Love You Again" on the screen broke the house record over the weekend and should gross an estimated $50,000 or better for the week. Over the weekend the show did about $20,000.

Broadway grosses over the weekend generally reflected the effects of warm, pleasant weather but despite a general leveling off from previous weekend highs managed to maintain fairly good strength. With Jewish holidays beginning Thursday, business at the end of the week is expected to be big. One of the holidays falls on a Saturday, which is also Columbus Day, a coincidence which otherwise might have contributed to three strong business days instead of one next week.

At the Music Hall "Howards of Virginia" with a stage show grossed an estimated $58,000 for the first four days and will be held over. "City for Conquest" with Bobby Byrne's band on the stage took an estimated $28,000 for its first three days at the Strand and also will be held.

The first three days of the second week of "Brigham Young—Frontiersman" with a stage show headed by Barry Wood at the Roxy drew an estimated $16,300. "Spring Parade" will open at the Roxy on Thursday instead of Friday to take advantage of holiday trade.

"Rangers of Fortune" with Jan Savitt's band on the stage at the Paramount grossed an estimated $14,000 over Saturday and Sunday and should end its second week tonight with $30,000. "I Want a Divorce" with Frankie Masters' band on the stage will open there tomorrow.

The second weekend of "Pastor Hall" brought an estimated $3,800 at the Globe. "Foreign Correspondent," ending its fifth week at the Rivoli tonight, should bring an estimated $24,000 for the week and will be held for a sixth.

Coast Flashes

HOLLYWOOD, Sept. 30

WILLIAM BIOFF, I.A.T.S.E. leader, arrived today from Chicago by plane and departed immediately for an undisclosed retreat for three weeks' rest. He authorized his counsel, George Breslin, to express his appreciation of those locals which adopted votes of confidence to him and pledged to renew his leadership on his return.

•

Funeral services will be held here tomorrow for Earl Hurd, 60, pioneer in the film cartoon field, who invented the Bray-Hurd process. He had been with Walt Disney the past six years after association with Paul Terry, Paramount, and Leon Schlesinger at Warners. He died Saturday night of a heart attack at his home in Burbank.

•

Seymour Felix today was given a long-term contract as dance director by 20th Century-Fox.

Goldwyn Amends UA Suit Complaint

(Continued from page 1)

Goldwyn, Inc., for U. A.'s alleged interference with his aims to distribute elsewhere the picture, "The Westerner." Goldwyn claims U. A. forced him to distribute that picture through them. George Z. Medalie is Goldwyn's attorney.

Goldwyn asserts that United Artists permitted Alexander Korda and London Film Productions, Ltd., to have a financial interest in Harefield Productions, Ltd., of London. This constituted a violation of his contract, Goldwyn alleges, because Harefield contributed the films "The Spy in Black" and "Q Planes" through Columbia Pictures. Recent efforts to settle the Goldwyn-U. A. controversy out of court failed.

Goldwyn On Coast

HOLLYWOOD, Sept. 30. — Samuel Goldwyn, who arrived here via Stratoliner over the weekend from New York, has set Oct. 9 for the openings here of "The Westerner," United Artists release starring Gary Cooper.

Legion Approves Five New Pictures

Of six new films, three have been classified as unobjectionable for general patronage by the National Legion of Decency, two as unobjectionable for adults, and one as objectionable in part. The new pictures and their classification follow.

Class A-1, Unobjectionable for General Patronage: "Sky Murder," "Spring Parade," "The Westerner." Class A-2, Unobjectionable for Adults: "City for Conquest," "Diamond Frontier." Class B, Objectionable in Part: "The Great Profile."

Will He Croon?

Hollywood, Sept. 30.

GARY CROSBY, 7, eldest of Bing Crosby's four children, will have the leading role in a film to be made by Herbert Polesie, author and producer of several Crosby features. The picture will be an adaptation of the childrens' book by Frances Boyd Calhoun, "Miss Minerva and William Green-Hill."

Ascap Washington Contest Is Delayed

(Continued from page 1)

a special master's report finding the law unconstitutional and on the issuance of a permanent injunction restraining the state from enforcing the law.

The court also allowed 15 days thereafter for both sides to file reply briefs. Thus, no decision in the case is expected before the end of November.

Nebraska Case Hearing Off to Oct. 12

A hearing scheduled for Oct. 7 in Lincoln, Neb., for an agreement on the record to be submitted to the U. S. Supreme Court in Nebraska's appeal from a decision holding its anti-Ascap law unconstitutional, was postponed yesterday to Oct. 12.

Louis D. Frohlich and Herman Finkelstein, Ascap counsel, will leave here Oct. 10 to attend the hearing.

Hollywood Notes

Hollywood, Sept. 30.

UNIVERSAL is seeking JACK OAKIE for a two-picture deal. . . . IAN HUNTER joins the cast of "Come Live with Me" at M-G-M. . . . WESLEY RUGGLES is attempting to buy from RKO the rights to "Cimarron," for production as a musical. He directed RICHARD DIX and IRENE DUNNE in the film some years ago. . . . ROBERT D. IRELAND has been made associate producer, and HOWARD B. PINE, assistant production manager, of Forum Films, headed by JAMES S. BURKETT.

• •

M-G-M has purchased "Viva Zapata," story of a Mexican hero, by EDGECOMB PINCHON, who wrote "Viva Villa." . . . Warners has changed the title of "We're in the Army Now" to "You're in the Army Now." . . . WILLIAM KEIGHLEY will direct "Sergeant York" at Warners. . . . GEORGE WAGGNER is writing the screenplay for Monogram's "Trail of the Yukon," JACK LONDON story. . . . Republic has set a budget of $500,000 for "Melody Ranch," Gene Autry special now in work. . . . JULIEN DUVIVIER has been signed by ALEXANDER KORDA to direct MERLE OBERON in "Manon Lescaut." . . . ALAN HALE has been set for Warners' "The Sea Wolf," which will star EDWARD G. ROBINSON, GEORGE RAFT and IDA LUPINO.

William Wyler has been borrowed by 20th Century-Fox from Warners to direct "How Green Was My Valley" . . . Lynne Overman will play the role of a legless man in "New York Town" at Paramount . . . Betty Compson returns to the screen in "Mr. and Mrs. Smith" at RKO . . . Nan Grey has by mutual agreement quit her contract with Universal and June Storey, hers with Republic. Miss Storey's last picture for her studio will be "Barnyard Follies."

• •

CHARLES RUGGLES has been set for "The Invisible Woman," which A. EDWARD SUTHERLAND is directing at Universal. . . . HARRY GREY supplants WILLIAM BERKE, resigned, as producer on the Gene Autry westerns at Republic, with LOU GRAY taking over HARRY GREY's former task of producing the Three Mesquiteer series. The studio has extended the contract of SMILEY BURNETTE, Autry's screen pal.

• •

Various film writers have joined, in a separate committee, the Hollywood for Roosevelt organization headed by PAT O'BRIEN. Heading the group are ALLEN RIVKIN, PHILIP DUNNE, MARY C. MCCALL, JR., TALBOT JENNINGS, DORE SCHARY, DON HARTMAN and DUDLEY NICHOLS.

MPTO to Intervene To Oppose Decree

ST. LOUIS, Sept. 30.—The M.P.T.O.A. is prepared to intervene as a friend of the court to oppose the adoption of the proposed Federal consent decree if it is submitted to the Federal court in New York in its present form, Ed Kuykendall, president, told 100 members of the M.P.T.O. of Eastern Missouri and Southern Illinois at their annual convention here today.

The local organization adopted a resolution condemning parts of the decree, particularly the five-picture sales clause and the arbitration proposals.

Kuykendall asserted that his organization's planned legal action will enable it to present its arguments against the decree to the court in the most effective manner. He described the decree as "something concocted by Government and producers' lawyers, and it's hot and they want to put it down somewhere."

He told the convention that he had been advised that two major companies were preparing to oppose the decree by legal action.

[*Ed. Note:* MOTION PICTURE DAILY reported on Friday that United Artists and Columbia were considering the advisability of opposing the decree on the ground that the escape clause held implications of conspiracy in restraint of trade, which might affect their business injuriously. No action has been taken yet by either company but the matter is still under consideration, officials stated yesterday.]

May Settle 2 Dallas Anti-Trust Actions

(Continued from page 1)

States District Court here today.

The other two suits were postponed due to the illness of Karl Hoblitzelle, who is convalescing in California from a rheumatic attack.

The two suits on which preliminary settlement agreements have been reached are those brought by Harry Fulghum, Tyler exhibitor, and H. N. Jorgensen, Dallas exhibitor. The action brought by Sam Kirscheimer, Houston exhibitor, was set for hearings of motions only next Monday and Interstate was authorized to amend its petition in the meantime. The suit in which Robert Z. Glass of Dallas is plaintiff was postponed without date.

All actions are for triple damages following the 1938 Federal court decision holding Interstate and Texas Consolidated guilty of violating the anti-trust laws.

Early Release for 'Dictator' in Britain

(Continued from page 1)

and is unusual, officials state, in view of the fact that the picture will be released before the new monetary export agreement between the British Government and the American film companies has been finalized.

As an independent producer, Chaplin is privileged, home office officials state, to special consideration under the agreement, particularly in view of the cost of "The Great Dictator," but rather than delay the benefits which Britain may expect to obtain from exhibition of the picture, the officials have decided to release it there at once.

'Pastor Hall' Hit in Chicago With $17,000

CHICAGO, Sept. 30.—"Pastor Hall," first banned, then approved by the Chicago censor, scored a record $17,000 at the Apollo. "Phantom Sea Raider," with Tommy Tucker's band at the Oriental, tallied $17,500.

Estimated takings for the week ending Sept. 27:

"Pastor Hall" (U. A.)
APOLLO—(1,400) (35c-55c-75c) 7 days. Gross: $17,000. (Average, $6,500)

"Sea Hawk" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Variety Stage Show. Gross: $32,000. (Average, $32,000)

"Rangers of Fortune" (Para.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $3,500. (Average, $5,000)

"Phantom Sea Raider" (Para.)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Tommy Tucker and Band. Gross: $17,500. (Average, $13,000)

"Hired Wife" (Univ.)
"Mummy's Hand" (Univ.)
PALACE—(2,500) (35c-40c-60c) 7 days, 3rd week. Gross: $11,000. (Average, $13,000)

"The Great Profile" (20th-Fox)
ROOSEVELT—(1,500) (25c-55c-75c) 7 days. Gross: $10,500. (Average, $11,000)

"Blondie's Servant Trouble" (Col.)
STATE-LAKE—(2,700) (25c-40c) 7 days. Stage: Blue Barron Band. Gross: $15,000. (Average, $15,000)

"Boom Town" (M-G-M)
UNITED ARTISTS—(1,700) (50c-65c-75c-85c) 7 days, 4th week. Gross: $12,000. (Average, $14,000)

"Gone with the Wind" (M-G-M)
WOODS—(1,100) (75c-$1.10-$1.50) 7 days, 35th week. Gross: $8,000.

'Howards' $9,500; Providence Slow

PROVIDENCE Sept. 30.—In an off week that saw all houses drop below average, "The Howards of Virginia" and "Cross Country Romance" were good for $9,500 at Loew's State, and the three-day engagement of George White's Scandals in conjunction with "Doomed to Die" at the Metropolitan drew $7,500.

Estimated takings for the week ending Sept. 25-26:

"Dance, Girl, Dance" (RKO)
"Tom Brown's School Days" (RKO)
RKO ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $5,000. (Average, $6,000)

"The Howards of Virginia" (Col.)
"Cross Country Romance" (RKO)
LOEW'S STATE—(3,232 (28c-39c-50c) 7 days. Gross: $9,500. (Average, $11,000)

"Brigham Young, Frontiersman" (20th-Fox)
"Public Deb No. 1" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 8 days. Gross: $6,200. (Seven-day average, $7,000)

"Rangers of Fortune" (Para.)
"Blondie Has Servant Trouble" (Col.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $5,500. (Average, $6,000)

"Foreign Correspondent" (U. A.)
"The Golden Fleecing" (M-G-M)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $2,800. (Average, $3,500)

"Doomed to Die" (Mono.)
METROPOLITAN—(3,045) (28c-39c-55c-75c) 3 days. "George White's Scandals" with Ella Logan and Ben Blue on stage. Gross: $7,500. (Average, $8,000)

"Charlie Chan at the Wax Museum" (20th-Fox)
"Colorado" (Rep.)
FAY'S—(1,800) (20c-28c) 7 days. Gross: $2,400. (Average, $2,500)

"Captain Caution" (U. A.) (3 days)
"Manhattan Heartbeat" (20th-Fox) (3 days)
"The Great McGinty" (Para.) (4 days)
"The Return of Frank James" (20th-Fox) (4 days)
EMPIRE—(2,200) (20c-28c) 2nd run. Gross: $1,500. (Average, $1,700)

Hollywood Reviews

"Cherokee Strip"

(Paramount-Sherman)

HOLLYWOOD, Sept. 30.—Harry Sherman, veteran producer of western pictures, presents in "Cherokee Strip" a deluxe western calculated to engage a larger market than his "Hopalong Cassidy" films. The picture has a good name cast, action, suspense, romance, and all the other essentials to augur that it will.

Richard Dix, as the head of a Texas clan whose feuding with its hereditary enemies is serious; Florence Rice, Victor Jory, Andy Clyde and George E. Stone top a well balanced cast.

The screenplay by Norman Houston and Bernard McConville, the latter writing the original story, is just about what a team of western writers would turn out under the circumstances, given the background of Oklahoma before the opening of the Cherokee Strip to settlers.

Lesley Selander, a Sherman veteran, executes his directorial assignment in a manner which shows that he attempted to drain every scene of its last drop of emotion.

Dix, as a United States marshal, moves in on the bad men infesting the area outside of the Cherokee Strip, famed in history and prior films. His ancient feud with another family is revived when it is shown that his opponents have not lived up to their agreement. The climax is achieved through hard riding and fast shooting.

Running time, 84 minutes. "G."* VANCE KING

"That Gang of Mine"

(Monogram)

HOLLYWOOD, Sept. 30.—Offering Leo Gorcey as a tenement boy who who wants to be a jockey and Clarence Muse as the impoverished owner-trainer of a thoroughbred, who gives the boy his chance, this comedy-drama of New York and the turf has novelty, humor and two horse-races as its special assets. Special, too, is the performance of Muse, easily the outstanding portrayal in the film, and his singing, unaccompanied instrumentally, of "All God's Chillun Got Wings."

William Hively's original screenplay has Muse arriving in New York without funds and in possession of a Kentucky thoroughbred ready for the races. He is financed, after extensive arrangements, by a band of boys, several of them Dead End Kids, and their volunteer guardians. Gorcey discovers that, although brave otherwise, he is afraid to ride the horse in the manner necessary to win. A gangster element is introduced and disposed of, finally, when the horse, under another rider, wins the crucial race.

Produced by Sam Katzman and directed by Joseph Lewis, the film presents Bobby Jordan, Dave O'Brien, Joyce Bryant, Donald Haines, David Gorcey, Sunshine Sammy Morrison, Eugene Francis, Milton Kibbee, Hazel Keener, Richard R. Terry and Wilbur Mack in addition to those named above.

Running time, 62 minutes. "G."* ROSCOE WILLIAMS

"Dulcy"

(MGM)

HOLLYWOOD, Sept. 30.—This George S. Kaufman-Marc Connelly stage farce, well remembered as a Broadway hit and subsequently as film entertainment, occupies here the attentions of Ann Sothern, a natural in the name role, Roland Young, Billie Burke, Reginald Gardner, Ian Hunter, Lynne Carver, Dan Daley, Jr., and a cast of corresponding capability.

As produced by Edgar Selwyn with S. Sylvan Simon directing from a script by Albert Mannheimer, Jerome Chodorov and Joseph A. Fields, the Kaufman-Connelly original has been modernized as to date, refurbished as to dialogue, but remains essentially the presentation of well-meaning young woman's attempts to take care of everybody's business, including her own, with results that amaze, astonish and, in general, amuse.

Miss Sothern's portrayal of the confused and confusing heroine stands out. Young, who shares the best sequences, is equally effective. The film kept a Hollywood preview audience laughing throughout its running time.

Running time, 64 minutes. "G."* ROSCOE WILLIAMS

**"G" denotes general classification.*

Associates to Meet

The Motion Picture Associates will hold a meeting at the Hotel Astor today, chiefly for a discussion of the annual dinner and dance. Jack Ellis, president, will preside.

Miss Carroll at Opening

Madeleine Carroll, star of the Cecil B. DeMille-Paramount film, "North West Mounted Police," will attend the premiere of the film at the Capitol, Regina, Saskatchewan, Canada, Oct. 21.

Coast Has 40 Films in Work; Nine Started

HOLLYWOOD, Sept. 30.—Forty pictures were before the cameras this week, as nine started and eight finished. Twentieth Century-Fox leads the list, with eight in production. A total of 18 is being prepared, and 75 are being edited.

The tally by studio:

Columbia
Finished: "Passage West," "The Wild Cat of Tucson."
In Work: "This Thing Called Love."
Started: "Ellery Queen."

M-G-M
Finished: "Little Nellie Kelly."
In Work: "Go West," "Flight Command," "Comrade X," untitled Dr. Kildare, "Fighting Sons."

Monogram
Finished: "The Ole Swimmin' Hole."
Started: "Phantom of Chinatown."

Paramount
In Work: "Virginia," "I Wanted Wings," "Shepherd of the Hills."
Started: "Reaching for the Sun."

RKO
Finished: "Remedy for Riches."
In Work: "Citizen Kane," "You'll Fnd Out," "No, No, Nanette," "Kitty Foyle," "Let's Find a Song," "Mr. and Mrs. Smith."
Started: "Debutantes, Inc.," "Three Girls and a Gob."

Republic
Finished: "Who Killed Aunt Maggie?"
In Work: "Melody Ranch," "The Mysterious Dr. Satan."
Started: "Meet the Missus," "Bad Man from Rio."

Korda
In Work: "Lady Hamilton."

Loew-Lewin
In Work: "Flotsam."

20th Century-Fox
In Work: "Chad Hanna," "Tin Pan Alley," "Hudson's Bay," "Romance of the Rio Grande," "Golden Hoofs," "Corncob Kelly's Benefit," "The Private Practice of Michael Shayne."
Started: "Western Union."

Universal
Finished: "Caribbean Holiday," "Who Killed Doc Robin?"
In Work: "The Bank Dick."
Started: "San Francisco Docks."

Warners
In Work: "High Sierra," "The Lady with Red Hair," "South of Suez," "Always a Bride."

Frisco Fair Closes; 6,545,776 Attended

SAN FRANCISCO, Sept. 30.—The total attendance at the San Francisco World's Fair, which ended on Saturday, was 6,545,776. The aggregate attendance was 32 per cent above the figure for the same number of days last year. A single-day record was established on the closing day of the exposition, when 211,020 attended.

Leaders Ask Music Union To Aid Fight

Big "name" band leaders will make a direct appeal to the American Federation of Musicians to solve their dilema in the current dispute between Ascap, Broadcast Music, Inc., and the broadcasters. A meeting will be held tomorrow with officials of Musicians' Local 802, and a direct appeal to the A. F. M. is under consideration.

Libraries May Be Useless

The leaders, while recognizing radio as a factor in building their reputations, resent the fact that they are being compelled to play non-Ascap songs on sustaining programs in preparation for the Jan. 1 deadline when the broadcasters' license to use Ascap music expires. An eventual ban on all Ascap music would not only render extensive music libraries valueless for broadcast purposes but also compels the leaders to make expenditures now for special arrangements of non-Ascap music.

The leaders met yesterday with Sidney M. Kaye, BMI vice-president and general counsel, at the Waldorf-Astoria, to hear radio's side of the controversy. Kaye explained that the gradual adoption of non-Ascap tunes was necessary at this time to prepare the air audiences for a complete changeover Jan. 1. He said the requirements for non-Ascap music would be raised from time to time up to the end of the year.

'Name' Bands in Minority

In response to the leaders' suggestion that they would appeal to their union for aid, Kaye pointed out that leaders of "name" bands were in the minority in the union. He said that more than 40 A. F. M. locals throughout the country had passed resolutions supporting BMI.

The radio industry would be willing to meet with Ascap to discuss the terms of a new license agreement if invited to do so by Ascap, Kaye said. He declared that Ascap had consistently refused to meet with a duly appointed committee of the National Association of Broadcasters, although willing to meet with individual broadcasters. Several band leaders suggested one of the plans the union might adopt would be to compel both sides to meet for the purposes of negotiation.

Air Defense Board To Meet October 7

WASHINGTON, Sept. 30.—Members of the Defense Communications Board created by President Roosevelt Sept. 24 have already held two meetings and plan to hold another on Oct. 7 for the purpose of perfecting their organization, it was disclosed today by FCC Chairman James L. Fly, chairman of the group.

Fly explained that the meetings are "purely exploratory," and that nothing definite has been worked out. It is expected that the first task of organization will be the setting up of the industry committees which are to assist the board in an advisory capacity.

Off the Antenna

SCREEN Guild Theatre, sponsored by Gulf Oil, started its 1940-'41 series over CBS Sunday night with a highly entertaining program, it being an adaptation by Norman Corwin of M-G-M's "Shop Around the Corner." Participating were Margaret Sullavan and James Stewart, in the parts they had in the film, and Frank Morgan, who served as interlocutor. Jean Hersholt, president of the Motion Picture Relief Fund, which benefits from the series, made the introduction. Next Sunday's show will be "Red Dust," with Clark Gable playing his original role. Corwin's direction and script were expert.

• • •

Purely Personal: *E. P. H. James completes his 13th year as advertising manager for NBC tonight. . . . Bruce Chick is the new director of the CKLW, Windsor-Detroit, continuity department. . . . Helen Craig will be interviewed by David Lowe over WNEW at 12:30 P.M. today. . . . George Herrick, WINS assistant chief engineer, has been named instructor of radio communications for Brooklyn Technical High School.*

• • •

An unusual tribute to a radio program—personal greetings from President Roosevelt—was made Sunday to Drew Pearson and Robert Allen who are doing "Sunday Evening News of the World" over nine NBC-Blue stations, under the sponsorship of the Brazilian Government. The President wired: "I feel sure it will help to better inform the American people regarding Brazil and their other neighbors of South and Central America."

• • •

The self-imposed commercial code of the National Association of Broadcasters which limits the length of commercial announcements on sponsored programs and defines an acceptable sponsor as one who is engaged in legitimate commerce and who sells products or services goes into effect today. On night programs, two and a half minutes may be used on a quarter-hour sponsored program for commercial announcements, three minutes for a half-hour show and six minutes for a full hour. The day programs have more liberal allotments with three and a quarter minutes, four and a half and nine, respectively.

• • •

Program News: *Viking Press will sponsor announcements for a new book, "The Draft and You" by Congressman Celler on Larry Elliott's "Rising Son" over WABC. . . . 30 CBS stations will be added to the 55 CBS stations for International Silver "Silver Theatre" next Sunday. . . . KDKA, Pittsburgh, yesterday started opening its programs at 5:30 A.M. to permit the broadcast of farm programs. The extra hour was made necessary by the shift from Daylight Saving Time. . . . Dorothy Thompson will start a series for Mutual Sunday at 8:45 P.M. Her talks will be sponsored separately in each city, with five companies already signed with Pilot Radio sponsoring locally.*

• • •

A number of radio figures will address the Overseas Press Conference to be held at the World's Fair tomorrow. Among those who will speak will be Herbert Bayard Swope, CBS director; Sydney Moseley, American news commentator for CBS; Johannes Steele, WMCA commentator; Frank Mason, NBC vice-president in charge of press and international short wave, and H. V. Kaltenborn, NBC commentator.

• • •

There was one NBC script writer with an awfully red face around the network yesterday. At the 10th anniversary party for Lowell Thomas at the Waldorf Astoria Sunday, Thomas kept referring to *Miles* Trammel as NBC president because that's what the script said. There was some friendly rivalry between the two major networks because CBS was staging a party for Helen Hayes in an adjoining suite. Newspapermen who drifted from room to room generally gave the nod to CBS because the latter served champagne as compared with the more prosaic scotch-and-soda offered by the senior web.

Philadelphia Club In New Quarters

PHILADELPHIA, Sept. 30.—The Showmen's Club will open its new quarters Oct. 15. Charles Goldfine and Charles Stiefel are co-chairman of the renovation committee, David Rosen is chairman of the group handling the drawing Nov. 16, Allen Lewis is chairman of the membership committee and Jack Litto is in charge of the dues committee.

At the Variety Club, Sidney E. Samuelson, Allied business manager here, was added to the National Foundation of the Infantile Paralysis Committee. Charles H. Goodwin was made head of the program committee for the annual dinner on Dec. 12, succeeding William Clark, who was forced to decline this year. The Motion Picture Associates have the first meeting of the season.

Name Winners in 'U' Washington Contest

WASHINGTON, Sept. 30.—Winners of the recent Exhibitors Appreciation Award Contest, conducted by Universal, in this area, are: Leon Zellers, Roxy, Baltimore, first prize; Bernard Depkin, Rives, Martinsville, Va., second prize; H. O. Thrush, Liberty, Kyser, W. Va., third; W. R. Tanner, Free State, Kenbridge, Va., and Joseph Walderman, Monroe, Baltimore, honorable mention.

Winners among the bookers are: Barry Goldman, Rome Theatres, Baltimore, first; Ivan Rosenbaum, Neighborhood Theatres, Richmond, second; Miss M. Sweeney, Bernheimer Theatres, Washington, third; Miss G. Ketchum, Dominion Theatres, Washington, and Morris Hendricks, Hicks Theatres, Baltimore, honorable mention.

B. & K.'s Television To Be in State-Lake

Chicago, Sept. 30.—A temporary site for the Balaban & Katz television station has been selected on the 12th floor of the State-Lake Theatre building here. Permanent quarters will be selected later. Officials declined to state when operations would begin.

Ten New Companies Authorized in N. Y.

ALBANY, Sept. 30.—Ten companies chartered here include: Irish-American Film Corp., New York, by Rhoda Egerman, Robert D. Bloom and S. Harry Eisenberg; Granada International Films, Inc., New York, by Beatrice Loeb, Gertrude Fried and Ruth Handler; Lyceum Operating Corp., New York, by T. Newman Lawler, Katherine Devine and Cora Tarvernia; American Yiddish Entertainment Co., Inc., New York, by Rosalie Sachs, Jeanne Greengold and Frieda Dorn, and Vogue Theatre Productions, Inc., New York, by Harry L. Danziger, Voltaire A. Gicca and Marie Pitrelli.

Also, Agus Pictures Corp., New York, by George Blake, Evalynne Kuhl, and Susanne Groves; Bonserk Theatre Corp., New York, by Jacob H. Zamore, B. William Mehlman and Isidore Zamore; Elkins-Taylor, Inc., New York, by Marie L. Elkins, Clarence Taylor and Donald M. Cunningham; Amusement Booking Corp., New York, by Nic Shafer, Charles Schwatz and Frances Rubin, and Scheuing and Blank, Inc., New York, by Irving Goldman, Morris Liebof and Tessie Dantowitz.

Canadian Pioneers Will Meet on Nov. 11

TORONTO, Sept. 30.—The first annual meeting of the Canadian Picture Pioneers will be held here Nov. 11, with Claire Hague presiding. Immediately following the convention, the Pioneers will stage their Patriotic Rodeo in the Toronto Coliseum, featuring Gene Autry for two days, Nov. 12 and 13. Autry has donated his services for this show, the proceeds for which will be devoted to war charities.

Regional branches of the Pioneers have been organized at Montreal and St. John, to complete the setup in eastern Canadian, while a branch has been formed at Vancouver for British Columbia. The society is sponsoring the Canadian Motion Picture Industry's War Services Committee, which has been cooperating with the Canadian Red Cross in the latter's financial appeal.

M. A. Ellsworth to "U"

SEATTLE, Sept. 30.—M. A. Ellsworth has been appointed to the sales staff of the local Universal exchange by Manager L. J. McGinley. He was formerly in Los Angeles.

Dallas Golf Oct. 14

DALLAS, Sept. 30.—The local Variety Club will hold its annual golf tournament Oct. 14 at the Dallas Country Club. It will follow the annual Texas-Oklahoma football game.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 66 NEW YORK, U. S. A., WEDNESDAY, OCTOBER 2, 1940 TEN CENTS

General Price Rise Opposed By Rodgers

Philadelphia Exhibitors Told It's Ill Advised

PHILADELPHIA, Oct. 1.—A general increase in admission prices for the coming season would be ill advised, in the opinion of William F. Rodgers, general sales manager of M-G-M, speaking at a good will luncheon today at the Hotel Warwick, attended by more than 200 exhibitors in this territory.

"You must expect that the distributors will have to make up somehow the loss of foreign markets," Rodgers said, "but the answer is not in a general increase in admissions."

He explained the company's position on "Boom Town," promising the film would not be withheld from exhibitors failing to cooperate in raising prices on it, which he said he believed it deserved. Rodgers also asked for greater cooperation from exhibitors in these critical times. His talk followed the same lines as that delivered in Atlantic City last Friday at the New Jersey Allied convention.

The company's position on "Boom Town" also was explained by Thomas J. Connors, Eastern and Southern division manager, and Robert Lynch, local branch manager for M-G-M. H. M. Richey, assistant to Rodgers in charge of exhibitor relations, was present.

Warner Trains Off To 'Rockne' Show

Two special trains, one of which left Los Angeles yesterday and the other leaving here today, will carry more than 150 persons, including Hollywood players, newspaper writers, guests and Warner executives, to South Bend for the celebration of National Knute Rockne Week. The celebration will be climaxed by the world premiere of Warners' film, "Knute Rockne—All American," on Friday.

Headed by Jack L. Warner, the western delegation includes: Arthur Ungar, Mr. and Mrs. Charles Einfield, Mr. and Mrs. Robert Buckner, Mr. and Mrs. Donald Crisp, Peggy Diggins, Lucile Fairbanks, Mr. and Mrs. Bob Hope, Rosemary Lane, Mrs. O'Brien, Sr., Mr. and Mrs. Pat O'Brien, Ronald Reagan, Florence Rice, Irene Rich, Charles Ruggles,

(Continued on page 7)

31 Tables Reserved At Quigley Luncheon

Ten additional tables, making a total of 31, have been reserved by major companies for the Ampa luncheon today in the Grand Ballroom of the Hotel Edison honoring Martin Quigley on his 25th anniversary as a motion picture trade paper publisher. Companies which have reserved additional tables are: M-G-M, United Artists, National Screen Service, RKO Radio Pictures and RKO Theatres, National Theatres, Skouras Theatres, Loew's Circuit, Altec Service Corp. and Jules Brulatour, Inc.

W.B., NSS Handle Warner Material

Warners and National Screen Accessories will both distribute accessories on Warner Bros.-First National product under a one-year agreement completed yesterday by Gradwell L. Sears, Warners general sales manager, and Herman Robbins, president of National Screen Accessories.

As a result of the agreement a suit filed by Vitagraph against National Screen has been withdrawn.

It was pointed out by the principals that the agreement will extend the advertising services on Warner product now available to exhibitors by giving them two sources of complete accessories material from which to draw.

Associates to Weigh Joining Variety Club

The suggestion of William F. Rodgers, M-G-M general sales manager, that the Motion Picture Associates join the National Variety Clubs as a New York unit will be discussed at an Associates executive board meeting next Wednesday at the Astor. Rodgers urged the merger at a recent meeting.

At a meeting of the organization yesterday Nat Beier of United Artists was appointed chairman of the entertainment committee. He will work with Moe Sanders of 20th Century-Fox on arrangements for the annual dinner and dance Nov. 20 at the Astor.

DECREE HEARING MAY BE DELAYED

Mason May Leave NBC

On the heels of MOTION PICTURE DAILY's disclosure yesterday that John F. Royal may resign soon as NBC vice-president in charge of programs, it was learned that Frank E. Mason may also soon resign as vice-president in charge of information and international short wave.

He is expected to complete his work on the political broadcasts which he is handling before making his resignation effective.

Mason's background as a newspaperman and Army officer were used to advantage when he joined NBC as a vice-president in 1931. He organized the international short wave division, reorganized the press department, station relations department, artists' service, and was generally described as a "trouble shooter" for the network. Much of his work was devoted to establishing harmonious relations between the press and radio. During political campaigns, Mason handled both paid and free political broadcasts. In addition, he was frequently called upon in the relationships between U. S. bureaus and NBC.

During the war Mason was a captain in the U. S. intelligence service.

(Continued on page 7)

'Ramparts' Ban Stays; M. of T. Will Appeal

PHILADELPHIA, Oct. 1.—The state censor board's ban of "Ramparts We Watch" was unanimously upheld here today by Judges Davis, MacNeille and Milner of the Common Pleas Court. The decision held that the board acted within its powers because of March of Time's refusal to delete the "Baptism of Fire" sequences.

[In New York last night March of Time said that it would appeal the decision to the Pennsylvania Supreme Court.]

The judges failed to find abridge-

(Continued on page 7)

Differences on Phrasing May Postpone Court Action Week or More

Postponement for a week or 10 days of the hearing on the proposed Federal consent decree scheduled for next Monday before Federal Judge Henry W. Goddard in U. S. District court here may be necessary, Government officials stated yesterday.

[MOTION PICTURE DAILY indicated on Monday the probability of a postponement of the presentation of the decree to the Federal court.]

Differences of views over the phraseology of several of the decree's provisions which developed at a meeting of Government attorneys and counsel for consenting companies at the Bar Association yesterday, necessitated renewed discussions. These will be completed today following yesterday's meeting which lasted into the night.

The unforeseen delay makes it unlikely that the decree will be confirmed by both sides and in the hands of the court by next Monday, as originally scheduled. This is due largely to the fact that a final joint meeting of a defendants' committee with Government officials in Washington is desired by both sides before the decree is delivered to the court. The meeting is scheduled for Friday and each of the five consenting companies will designate one representative to attend. If the meeting is conclusive there would still be a chance of getting the decree into court Monday on schedule.

The differences of views on the decree phraseology developed following

(Continued on page 7)

British Quota Film Total Shows Drop

LONDON, Oct. 1.—The initial examination of films registered from April to September, the first six months of the current British quota year for distributors, discloses that 197 foreign films and 43 British features were registered.

The total is less than half the full year's total of 1939-1940. It is estimated that of these, approximately 100 foreign and four British films were distributed by seven major companies. The four British pictures were multiple quota films.

לשנה טובה תכתבו

1940 5701

Introduction

JOSEPH FORTE, in joining the Warner Theatre circuit as manager of the suburban Parker, Darby, Pa., presented himself to the patrons in a novel manner. After a friendly talk, asking the patrons to bear with him for a little while, he told them to prepare for an announcement that would make them rise from their seats. He announced that 25 passes had been placed under as many seats scattered throughout the theatre.

Hanbury Services Set for Tomorrow

LONDON, Oct. 1.—Funeral services will be held here on Thursday for Ralph Hanbury, managing director and chairman of RKO Radio Pictures, Ltd., who, with three members of his family, was killed in an air raid late last week.

The services will be held at St. Marks, North Audley St., London, with interment at Nunhead.

Sidney R. Kent Goes To Coast on Friday

Sidney R. Kent, president of 20th Century-Fox, will leave for the coast on Friday. He will remain at the studio about three weeks for conferences with Darryl F. Zanuck, vice-president in charge of production, on product plans.

Personal Mention

FRANK J. A. McCARTHY, Eastern sales manager of Universal, left last night for a sales trip to Oklahoma City and Dallas. He is expected back in about a week.

•

MAX WESTEBBE, managing director for RKO in Holland, is due here about Oct. 12 for home office conferences.

•

WALTER BRENNAN will be guest at a dinner party in Baltimore tomorrow, with city officials attending. WILLIAM K. SAXTON, Loew city manager, will be BRENNAN'S host.

•

LARRY GRAVER, Warner district manager in Philadelphia, has returned from the Pocono Mountains, where he recuperated from an operation.

•

LOU POLLOCK, DAVE O'MALLEY, OSCAR A. DOOB, MARVIN SCHENCK, EUGENE PICKER, JOSEPH MOSKOWITZ, HANK LINET, JAMES SMITH and JACK HALEY having lunch yesterday at the Tavern.

•

J. J. O'CONNOR, FRED MEYERS, MEYER SCHINE, WILLIAM SUSSMAN B. S. MOSS, HARRY L. GOLD and CHARLES STERN at Lindy's (51st St.) yesterday for lunch.

•

JOHN D. HERTZ, JR., DENNIS KING, WILLIAM MELNIKER, ARTHUR KRIM, ROBERT WEITMAN, LUTHER ADLER, BOBBY CRAWFORD, ALEXANDER INCE and MORT SPRING lunching yesterday at Sardi's.

EDWARD A. GOLDEN, Monogram general sales manager, plans to leave for the Coast on Friday.

•

MARTIN QUIGLEY, SIDNEY R. KENT, LEO SPITZ, HERMAN WOBBER, BARNEY BALABAN, NATE BLUMBERG, ADOLPH ZUKOR, DR. A. H. GIANNINI, SAM SHAIN, FRANK E. MASON, JESSE BUCHER, EDWARD HATRICK, GEORGE J. SCHAEFER, HERMAN ROBBINS, SPYROS SKOURAS and GRADWELL SEARS having lunch yesterday at the Hotel Plaza Grill.

•

COL. EDWARD A. SCHILLER, GEORGE DEMBOW, TED O'SHEA, MAURICE BERGMAN, OWEN DAVIS, WALTER READE, JR., RUSSELL HOLMAN and ED SAUNDERS at Nick's Hunting Room in the Astor for lunch yesterday.

•

ARCHIE MAYER, IRVING SHAPIRO, SAM GOLDBERG and MILTON BERLE lunching at Lindy's (next to the Rivoli) yesterday.

•

LARRY GERMAINE of the Warner Theatres booking department, New Haven, is back at work after a brief illness.

•

MR. and MRS. LEO BONOFF, operating theatres in Madison and Saybrook, Conn., have returned from a short vacation.

•

MRS. HARRY E. WEINER, wife of Columbia branch manager in Philadelphia, has left with her son for Florida.

•

EDWARD DONAHOE, manager of the Grove, Beech Grove, Ind., is the father of an eight-pound boy.

•

GLADYS GEORGE and her husband, LEONARD PENN, have returned from the Coast.

•

HAROLD RECKLEY, manager of the Chateau, Greenwood, Ind., is vacationing in Texas and Florida.

•

BUSBY BERKELEY, here on a visit, will be principal speaker tomorrow at a meeting of the Publicity Club of New York.

•

DELVERT HOWER, chief of service at Warners' Uptown, Philadelphia, has resigned to enlist in the Marine Corps.

Mitchell Conferring On Army Coast Unit

HOLLYWOOD, Oct. 1.—Gordon S. Mitchell, manager of the M. P. Academy Research Council, is on two weeks' active duty with the Army Signal Corps in Washington. Mitchell, who is a Captain in the Reserves, while there, is discussing plans for a photographic reserve unit to be formed in Hollywood for the Army.

Publicity Heads to Meet

HOLLYWOOD, Oct. 1.—Studio publicity directors will meet with Jock Lawrence, assistant to the president of the Producers Association, tomorrow for the first time since his appointment to the new position.

Newsreel Parade

PRESIDENT ROOSEVELT at a Washington airport dedication and Candidate Willkie campaigning in New York share the spotlight in the new issues. Here are the contents:

MOVIETONE NEWS, No. 7—Dedicate airport in Washington. Willkie at Empire City race track. Legion convention in Boston. Garner returns to Washington. Lord Lothian at the White House. California kidnapper in prison. Jewel fashions. Football season opens. Horse racing at Belmont Park.

NEWS OF THE DAY, No. 205—Roosevelt speaks at opening of Washington airport. Jail California kidnapper. New hair styles. Willkie campaigns in New York. Football. Belmont races.

PARAMOUNT NEWS, No. 10—Belmont horse races. Lord Lothian visits the White House. Adventurer completes round-the-world sail. California kidnapper in prison. Cat show at World's Fair. Garner returns to Washington. Wallace campaigns in Hollywood. Willkie at Yonkers. Roosevelt at Washington airport dedication. Football.

RKO PATHE NEWS, No. 10—Japanese Premier Konoye with new cabinet. Roosevelt dedicates Washington airport. Willkie on tour. Sir Walter Layton urges aid to England. Newsmen on tour of Australia. Football.

UNIVERSAL NEWSREEL, No. 915—Willkie in Yonkers. Roosevelt dedicates Washington airport. New commander for American Legion. Garner returns to Washington. Washington man completes 50,000-mile sail. Cat show at the Fair. Belmont races. Football.

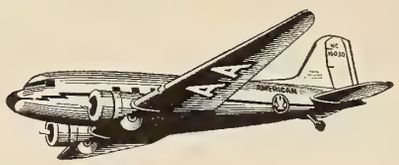
Wanger Honor Guest At Rivoli Reception

Walter Wanger was guest of honor at a cocktail party yesterday afternoon at the Rivoli Theatre. His "Foreign Correspondent" is now playing at the theatre and his "The Long Voyage Home" will open there soon.

Among those present were Monroe Greenthal, Charles E. McCarthy, Herman Wobber, Robert Gillham, Ed Churchill, Martin Quigley, Sam Shain, Joan Bennett (Mrs. Wanger), Harry Kosiner, Clarence Ericksen, John Leroy Johnston, Gladwin Hill, William Lass, Dorothy Masters, Bosley Crowther, Cecelia Ager, Tom Pryor, Leo Mishkin, William Boehnel, Herbert Cohn, Kelsey Allen, Pete Harrison, Ben Shlyen, Maurice Kann and Jack Alicoate.

SWG to Select Slate

HOLLYWOOD, Oct. 1.—Screen Writers Guild nominating committee meets tomorrow night to select candidates for the annual election Nov. 13.



CALIFORNIA

American's Southern Sunshine Route

5 FLAGSHIPS DAILY COAST-TO-COAST

★ It's only an overnight skysleeper trip to Los Angeles via American's Famous Sunshine Route! Delicious meals aloft. Stewardess service. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: Rockefeller Center, 18 W. 49th St.; Grand Central, 45 Vanderbilt Ave.

CONVENIENT DEPARTURES

The Sun Country Special 7:05 am
The Plainsman . . . 4:10 pm
The Mercury (Two Sections) 4:45 & 5:10 pm
The Southerner . . . 10:30 pm

AMERICAN AIRLINES Inc.

ROUTE OF THE FLAGSHIPS

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1. Hope Williams, manager, cable address "Quigpubco, London."

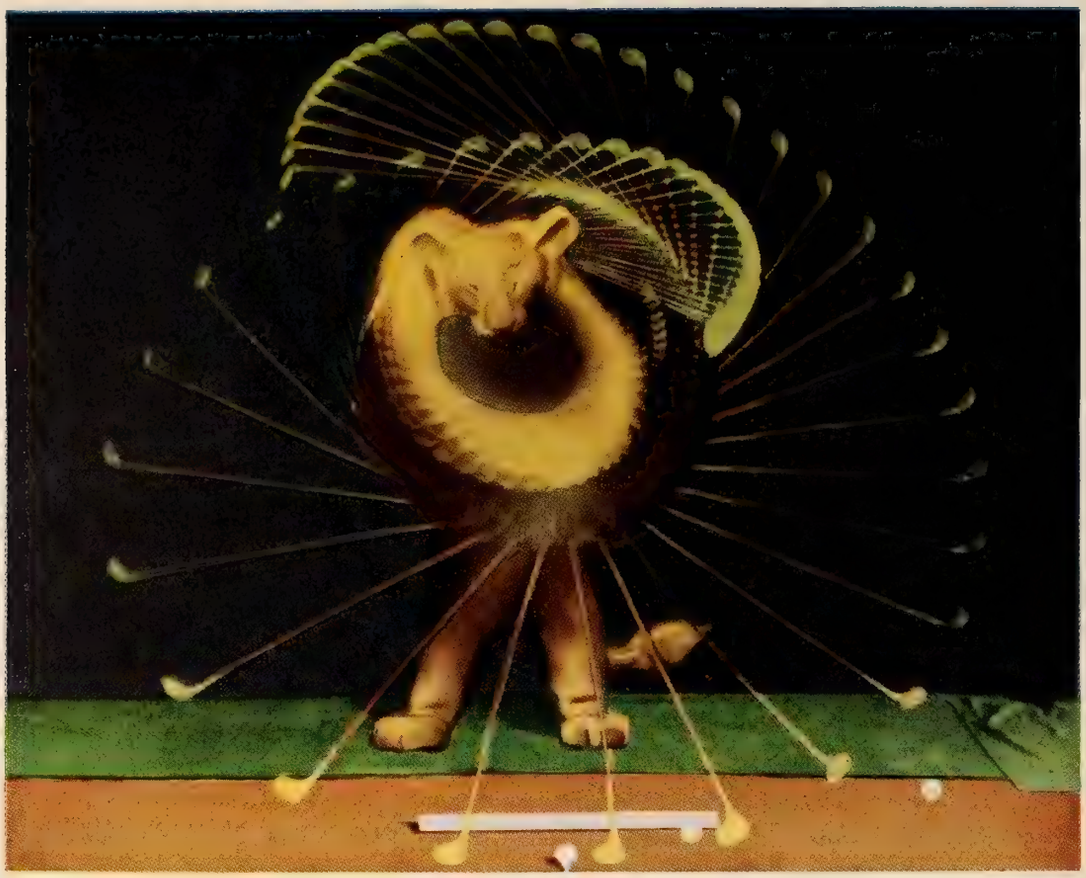
All contents copyrighted 1940 by Quigley Publishing Company, Inc.

Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.



LITTLE ONES

They Steal the Show!



ABOVE: *Leo, Jr. is shown in the new "frozen motion" photography which is the basis for M-G-M's revolutionary contribution to Short Subjects.*

A STROKE OF SHOWMANSHIP

to launch M-G-M's 1940-41 Season of Super Short Subjects

Introducing the Sensational Stroboscopic photography in PETE SMITH's "QUICKER'N A WINK"

As usual it is M-G-M that breaks away from the routine! We know that showmanship demands new ideas to attract folks to your theatre. Again M-G-M does the unusual. Now, for the first time, movie audiences can see the unseen . . . action too fast for the human eye caught in "frozen motion" by Stroboscopic photography at the rate of 2,000 individual pictures per second...here's the screen's most sensational development since the advent of sound!

Imagine a camera capable of taking pictures up to one-hundred thousandth of a second. That's Stroboscopic photography as illustrated below. Note how the kicker's foot penetrates nearly half the diameter of the ball before the ball leaves the ground.





LEO, JR. MAKES BIG ONES OUT OF LITTLE ONES!

Here's His M-G-M Shorts Line-up For 1940-41

6 CRIME DOES NOT PAY—(*Two-Reels*) Timely, thrilling dramatizations, several based on nationally important racket investigations currently in the news, all produced with higher production budgets than average independent "B" features!

14 PETE SMITH SPECIALTIES—M-G-M's amusing and amazing sound-track wit and "unseen star" presents his own inimitable collection of credos and curios, and sundry human interest material highlighted with humor.

9 PASSING PARADE—John Nesbitt's extraordinary presentation of ordinary events pass in fascinating review. An excitingly NEW idea in short subjects--interesting as life itself!

10 MINIATURES—Significant documentaries of topical interest including Carey Wilson's absorbing "What Do You Think?" excursions into mental phenomena and the psychic unknown!

9 OUR GANG COMEDIES—For 20 years audiences have enjoyed the capers of this group of typical American youngsters. Now they're better than ever!

12 FITZPATRICK TRAVELTALKS—*In Technicolor.* Patrons will find a world of entertainment in next season's star-spangled panorama of the United States and America!

18 M-G-M CARTOONS—*In Technicolor.* Highly imaginative and thoroughly delightful animated drolleries created by Hugh Harman and Rudolph Ising and other cartoon geniuses.

104 ISSUES NEWS OF THE DAY—A real NEWS reel, now more than ever, with the largest camera and editorial staff in its brilliant history. Featuring JOHN B. KENNEDY'S *Front Page*, BILL STERN'S *Sports Page*, ADELAIDE HAWLEY'S *Womens Page!*



YOUR FOLKS ARE WAITING FOR THE NEW METROSCOPIX

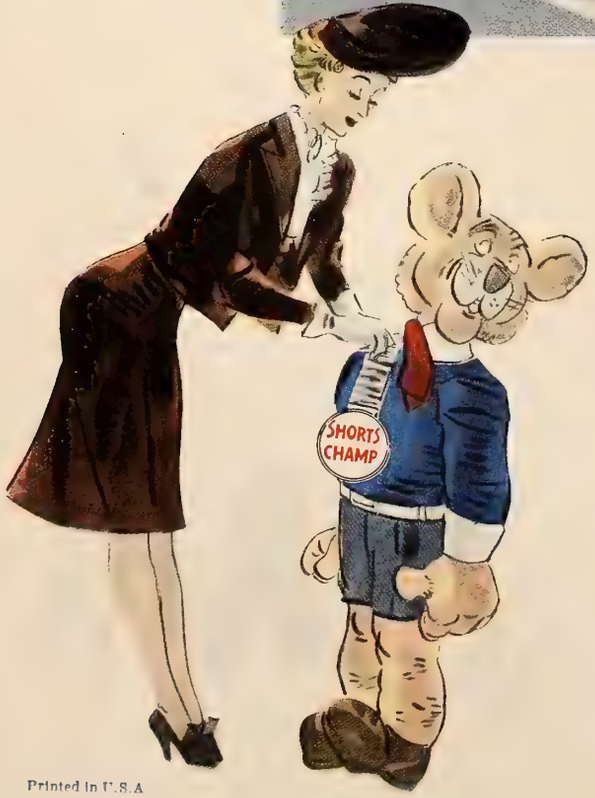
(It's the improved successor to Audioscopix!)

In addition to the great line-up of '40-'41 Shorts outlined above, watch for M-G-M's *Super-Special Attraction* entitled:

"THIRD DIMENSIONAL MURDER"

How the public shrieked and laughed at M-G-M's Audioscopix Shorts. Now we bring them a new one, vastly improved, that tells a complete story. A real old fashioned mystery melodrama in third dimension that will lift audiences out of their seats with excitement. A howling success!





FOR DISTINGUISHED SERVICE AT THE BOX-OFFICE!

Above are the trophies the industry has awarded Leo, Jr. in recognition of his superior shorts producing skill—an average of better than four medals per year for the past ten years is his enviable record. Proud as he is of these medals, Junior is prouder still of the extra business his shorts have brought to your box-office!

Printed in U.S.A

Warner Trains Off To 'Rockne' Show

(Continued from page 1)

Mrs. Elizabeth Whitney, Jane Wyman, Gale Page, Anita Louise, Ed Manson, Mr. and Mrs. Mack Miller, Mr. and Mrs. Ed Schollert, Mr. and Mrs. William Wilkerson.

Frank C. Walker to Attend

Postmaster General Frank C. Walker and Mrs. Walker, and Franklin D. Roosevelt, Jr., will head the eastern group, which will be in charge of Mort Blumenstock, in charge of advertising and publicity in the East for Warners. Others will be: Rudy Vallee, Owen Davis, Jr., Aben Kandel, Wally Butterworth, Parks Johnson, Mr. and Mrs. Dan Topping (Sonja Henie), Willie Howard, and the following newspaper representatives from various cities:

Marjorie Adams, George Beals, Mr. and Mrs. Harry Browning, Gary Byrnes, Howard Barnes, Bill Corum, Harold Cohen, Joseph V. Connelly, Larry Dame, Peggy Doyle, Helen Eager, S. Fred Dayton, Windsor French, Leo Gaffney, Jack Gleason, William Randolph Hearst, Jr., John Hesse, John Hutchens, A. S. Kany, W. A. Keyes, Karl Krug, Howard Lindsay, Jack Lait, B. J. Lewis, Ward Marsh, Kasper Monahan, Dan Mulvey, Mary Mason, Lee Mortimer, Dan Parker, Damon Runyan, Ed Sullivan, Mary Sullivan, Louis Sobel, Art Spaeth, Don Tranter, George Williams, Dwight Young, Frank Young, Jimmy Sileo.

Representatives from Warners

Representing Warners are the following: From the home office: Mitchell Rawson, Harry Goldberg, Sid Rechetnik and Ralph Budd; Joe Feldman from Pittsburgh, and Manny Pearlstein from Cleveland.

The two trains will meet in Chicago tomorrow afternoon and proceed together to South Bend.

Loew-Poli Men Meet On 'Argentine' Plans

NEW HAVEN, Oct. 1.—Selling plans on "Down Argentine Way," 20th Century-Fox film, were discussed at a special meeting here in the office of Loew-Poli theatres, which was attended by Oscar A. Doob, Loew's advertising and publicity head, and Rodney Bush, 20th Century-Fox exploitation and publicity manager.

Various types of campaigns were outlined for the managers of the houses, which will play the film before national release.

Among those present were: Harry F. Shaw, Loew-Poli division manager; Matt Saunders and Otto Esposito, Poli, Bridgeport; Robert Russell, Nat Rubin and Jack Brasil of the Poli, New Haven; Ed Fitzpatrick of the Poli, Waterbury; Jack Simons of the Poli and Lou Cohen of the Palace, Hartford; George Freeman of the Poli, Springfield; Joseph Samartano of the Palace, Meriden, and Lou Brown, Loew-Poli advertising and publicity manager. Ben Simon, 20th Century-Fox branch manager, was also present.

Dee Lowrance to Para.

Dee Lowrance, formerly with U. A., who has been on the Coast several months, is visiting here prior to taking a post at the Paramount studio as fashion publicity director.

U. S. Court Decree Hearing May Be Delayed a Few Days

(Continued from page 1)

a study by the consenting companies of the formal legal draft of the decree completed last Saturday.

Government attorneys said yesterday that copies of the final draft will be sent to exhibitor representatives throughout the country in advance of the court hearing on the decree in order to give them time to study the document and prepare their views accurately for presentation in court. All interested exhibitors will be invited to attend the hearing when the decree is submitted to Judge Goddard for approval, Government spokesmen said. A copy of the decree also will be sent to Judge Goddard in advance of the hearing in order that he may familiarize himself with its contents, it was said.

Government representatives said that they did not believe United Artists and Columbia "have any standing in the decree proceedings" which would warrant their opposing its adoption in court, when asked to comment on the possibility of a fight against the decree from those sources. That action, based on their opposition to the escape clause of the decree, is under consideration by both companies.

Meanwhile, it was learned that the preamble to the decree is so worded as to eliminate any possibility of contempt or triple damage actions being instituted against the consenting companies later. The preamble declares that nothing in the decree can be construed as an admission of guilt or of violation of the anti-trust laws.

Kansas Exhibitor Unit Opposes Block-of-Five

KANSAS CITY, Oct. 1.—Directors of the Kansas-Missouri Theatres Association, representing 350 independent exhibitors, unanimously condemned the block-of-five sales provision of the pending Federal consent decree at a meeting here today.

In a message sent to Assistant Attorney General Thurman Arnold, the organization asserted: "We are convinced the block-of-five clause will disrupt the even flow of pictures which is vitally necessary in the conduct of our business, and will materially increase our film rental which has at this time reached the saturation point. We recommend retaining entire block sales with an unconditional 20 per cent elimination privilege."

MPTO Renews Attack On Block, Arbitration

The M.P.T.O.A. yesterday renewed its attack on the block-of-five sales provision and the arbitration proposals of the consent decree in a bulletin sent to members by Ed Kuykendall, president. Both provisions were criticized vigorously by the exhibitor organization which, according to Kuykendall, will intervene as "friend of the court" in an effort to oppose approval of the decree in its present form.

Kuykendall returned to his Columbus, Miss., home from St. Louis yesterday and plans to leave for Washington for further conferences there with Department of Justice officials this weekend or early next week.

Cohen Confers on Action

Meanwhile, Max A. Cohen, president of Allied of New York, affiliate of the M.P.T.O.A., conferred yesterday with his attorney, Jacob Schechter, regarding the organization's plans for intervening in the court proceedings to oppose adoption of the decree. Indications are that the organization's action will be decided upon within the next few days.

'Ramparts' Ban Stays; M. of T. Will Appeal

(Continued from page 1)

ment of freedom of speech in the board's decision and rejected the contention that the film is a newsreel. The court raised objections to other sequences in the film as well.

De Rochemont Comments

Commenting on the court's finding that the two "Baptism of Fire" reels were "Nazi fear propaganda," Louis de Rochemont, March of Time producer, stated that "the court has not fully realized that our use of the interpolated material from the German film was deliberately such as to transform a piece of Nazi propaganda into American propaganda of the clearest and most definite kind."

Pool in Indianapolis

INDIANAPOLIS, Oct. 1.—Indianapolis Cooperative Theatres and the Cantor circuit have joined for combined bookings and other arrangements. Cooperative includes the Belmont, Cinema, Garfield, Hollywood, Rex, Tacoma, Talbott and Tuxedo. Cantor circuit has the Emerson, Esquire, Parker, Sheridan and Rivoli. All are neighborhoods.

Frank E. Mason May Leave NBC Shortly

(Continued from page 1)

He won the Croix de Guerre, Order of the Purple Heart, Officer of the Crown decoration of Roumania and a citation by General Pershing. In 1920 he became Berlin correspondent for International News Service, and later was appointed in charge of the London and Paris INS bureaus. He returned to the United States as INS business manager in 1927 and became general manager and then president in the same year.

'Bagdad' Will Open in Warm Springs Oct. 14

Magazine and newspaper representatives will be taken to Warm Springs, Ga., by plane for the world premiere of Alexander Korda's "The Thief of Bagdad" at President Roosevelt's Foundation for paralysis victims on Oct. 14. Sabu and June Duprez, members of the cast, will attend the premiere and will head a show for the 70 paralysis sufferers at the Foundation.

Congress Passes Bill on Profits Tax

WASHINGTON, Oct. 1.—Acting quickly in an effort to recess at the end of this week, Congress today passed and sent to the White House the conference report on the excess profits tax bill.

The measure increases the normal tax of corporations to 22 1/10 per cent, plus the 10 per cent defense tax superimposed on all income taxes, and provides for excess profits levies ranging from 25 to 50 per cent.

The highly involved bill on which, members of the House declared, accountants and attorneys will prosper for years to come, provides that corporations basing their excess profits tax on invested capital will be given a credit of eight per cent, instead of the seven and five per cent provided by the House. This change was urged by numerous witnesses before the committees in charge of the bill, including J. Cheever Cowdin, chairman of Universal Pictures.

Provision also is made for the relief of corporations having bad years during the base period and those which have had to borrow extensively and thus might show a distorted capital structure.

Schools Using 60 Films, Says Hays

FRENCH LICK, Ind., Oct. 1.—More than 60 films prepared by the industry from its regular productions are being used in schools in building sound American citizenship, Will H. Hays, president of the M.P.P.D.A., told the Indiana Chapter of the Daughters of the American Revolution in session here today.

Hays reviewed the industry's part in contributing films on character building and educational subjects to schools and institutions during the past 10 years. He said that a partnership of mutual assistance has existed between the industry and civic and patriotic organizations for the past 18 years.

"Some 500 films telling the story of the United States are now available to the schools and are being used in thousands of classrooms," he said.

Pete Mayer Joins Mono.

Pete Mayer, who was associate producer for "Lights Out in Europe" and formerly West Coast manager for Pathe News, has left by plane for Hollywood where he will be associate producer with Sam Katzman at Monogram.

Competition

WHEN Charlie Chaplin's "The Great Dictator," United Artists release, has its dual opening at the Capitol and Astor on Broadway, Oct. 15, it will have competition, in the form of the new Wilson electric sign, the world's largest, containing 10,000 bulbs, which will be unveiled on that evening with appropriate ceremonies.

Seeks Retention of Present Wave Band

WASHINGTON, Oct. 1.—First kick-back against the re-allocation of broadcasting stations under the North American Regional Agreement, announced last month by the Federal Communications Commission to go into effect March 29, next, was received at the commission today in the form of an application from Station KVAN, Vancouver, Wash., for permission to remain on 880 kilocycles instead of moving to 910 kilocycles.

Seek Lewistown, Pa., Permit

The commission also received an application for a construction permit for a new 1,500-kilocycles, 250-watt station from the Lewistown Broadcasting Co., Lewistown, Pa., and an amended application from the Brainerd-Bemidji Broadcasting Co., Brainerd, Minn., asking for a new 1,550-kilocycle, 1,000-watt station, instead of 1,230 kilocycles with 500 watts night, 1,000 watts day.

Also submitted was an application by Station WREC, Memphis, for increase of night power from 1,000 to 5,000 watts.

Applies for FM License

Applications for new FM high frequency stations were filed by William F. Maag, Jr., Youngstown, Ohio, on 43,500 kilocycles to cover 12,304 square miles with a population of 4,488,498; WCAU Broadcasting Co., Philadelphia, on 44,300 kilocycles covering 13,574 square miles with a population of 5,079,206; Tom M. Bryan, Miami, Fla., on 44,500 kilocycles to cover 2,150 square miles with a population of 206,000, and National Life and Accident Insurance Co., Nashville, Tenn., on 44,500 kilocycles to cover 16,000 square miles with a population of 857,270.

Ambassador Back To Former Policy

ST. LOUIS, Oct. 1.—The five-week experiment of operating the Ambassador, downtown first run, on a single-bill reserved-seat policy has been unsuccessful and the theatre has reverted to its old policy of continuous shows under the old admission scale. However, it will continue to use single features.

Harry C. Arthur, Jr., general manager for Fanchon & Marco, operators of the theatre, said the experiment had been successful up to the point of admission prices, and he found these were unacceptable. However, so gratifying were the reports of patrons concerning the single bill that this policy will be maintained, he said.

Under the arrangement, the Ambassador's scale was 35 cents, 50 cents and 75 cents. The reserved seat policy and the single showing at night have been abandoned. The scale of prices now is 28 cents, 39 cents, 44 cents and 56 cents—no reserved seats and continuous showings.

Union Restrained From Theatre Suit

Justice Aron Steuer yesterday in N. Y. Supreme Court restrained the prosecution of a suit brought by Operators' Local 306 against the People's Cinema in Brooklyn, until the union submits its dispute to arbitration. The court denied an injunction to restrain picketing.

Off the Antenna

AIDED somewhat by political bookings, gross billings for the two NBC networks mounted 17 per cent for a new September high last month with $3,879,779 as compared with $3,315,307 for September, 1939. The Blue increased 32.4 per cent during the month with $747,774 gross billings while the Red was up 13.9 per cent to $3,132,005. Cumulatively for the first nine months the Red grossed $28,673,091, up 8.8 per cent; the Blue, $7,335,264, up 19.1 per cent; and combined, $36,008,355, up 10.8 per cent.

• • •

Bob Elson, *sportscaster of WGN, Chicago, was voted the best baseball announcer of the past year in a poll of sports writers and fans conducted by* Sporting News. *Elson will receive a trophy in a special broadcast over Mutual at 7:15 tonight after he completes a World Series broadcast in Cincinnati. Red Barber, another Mutual sports announcer, won last year.*

• • •

Facsimile messages, maps, photos, drawings and printed matter will be transmitted by radio from an airplane in flight to a field laboratory in a test demonstration at Bendix, N. J., today. W. G. E. Finch, president of Finch Telecommunications, will direct the demonstration. A ground crew will pick up the signals and telephone wires will carry the signals to the laboratories in Passaic.

• • •

Cooperative Analysis of Broadcasting (the Crossley rating) today will double the number of interviewing periods during the day and will start a schedule of 700,000 telephone interviews annually instead of 500,000 as at present. Rates will be increased to subscribers on a graduated scale depending on the amount of time sold or bought. This is the fourth increase in service made by CAB since its inception in 1930. Instead of the four testing periods now in use in 33 major centers of population, eight periods will be used; 9 and 11 A.M., and 1, 3, 5, 7 and 9 P.M. The increased schedule was justified by tests made during the past year, A. W. Lehman, CAB manager, said.

• • •

Local time sales on WJZ increased 133 per cent during September as compared with the same month last year and WEAF was up 65 per cent, James V. McConnell, NBC national spot and local sales manager, said yesterday. Combined business for both stations showed an increase of 95 per per cent over the same month last year and the total for the first nine months is 66 per cent ahead of the same period last year. Bookings for the next three months are exceptionally good, McConnell said, and there are many long term contracts on hand. At present WEAF has 22 regular local sponsors while WJZ has 15 regulars, 16 who participate in "Woman of Tomorrow" and three who participate in "Breakfast in Bedlam."

Providence Group May Be Organized

PROVIDENCE, Oct. 1. — Formation of an organization among the managers of downtown film houses appeared probable following the suggestion of Charles Kurtzman, New England division manager of Loew's, Inc., at a meeting of managers held in the Strand Theatre office of Edward L. Reed.

The managers also discussed the possibility of staging a Downtown Theatre Week celebration. Newspapers, stores, restaurants and city officials would be asked to cooperate. In addition to Kurtzman and Reed, those taking part in the discussion were Edward M. Fay, Bernard Fay, Albert J. Clarke, Edward McBride, George French and Sam Kaufman, all managers of downtown theatres.

French Film to Open

"The Open Road," French film starring Victor Francen, will open Friday at the 55th St. Playhouse. The film was produced and directed by Fernand Rivers. It is released in this country by Robert Mintz.

Gets Mohawk Films

International Pictures Distributing Corp., of which J. W. Turner is president, has acquired the 19 features of the Mohawk Film Corp. for the Philadelphia and Washington territories.

Club Election Oct. 15

COLUMBUS, O., Oct. 1.—The annual election of officers of the local Variety Club will be held Oct. 15. Harry Schreiber is chief barker of the club.

DeMille Backer of Coin Film Project

HOLLYWOOD, Oct. 1.—With Paramount sanctioning the use of his name as one of the two principal backers on the understanding that he will not actually produce the films, Cecil B. DeMille has entered the ranks of nickel film dispensers.

Behind Hollywood Quality Pictures, Inc., are, in addition to DeMille, Neil S. McCarthy, attorney;, William H. Pine, DeMille, general manager, and Morris and Frank Kozinsky, manufacturers and vendors of coin operated devices. Herbert Moulton, until recently in charge of Paramount trailer production, has been engaged to produce the three-minute subjects. De Mille's name will not appear on the films.

Art to Open Monday

The Art Theatre, new 550-seat house at 8th St. and University Place, will open next Monday, with the first attraction the French film, "Whirlpool." The house was built by Herman Weingarten, and will be managed by Irving H. Ludwig.

Releasing French Film

The first Fall release of Leo Films, Inc., of which Nat Sanders is president, will be a French film, "Mayerling to Sarajevo." Others are "Les Musicians du Ciel," "Les Jumeaux de Brighton" and "La Dame."

Herth Trio to Roxy

Milt Herth and his Herthquake Trio begin a two-week engagement at Roxy on Friday.

Equity Moving to Ban Un-Americans

Machinery to ban members or sympathizers of the Communist, Nazi or Fascist parties from office or employment in Actors Equity was set in motion yesterday by the Equity Council. A resolution calling for such action was passed at the membership meeting last Friday after it had previously been defeated by the council, but the council reversed its action yesterday.

A committee was appointed to consult the legal department on amendments to the constitution and by-laws to put the resolution into effect. The committee is headed by Winifred Lenihan, who sponsored the resolution, Clyde Fillmore and Alan Hewitt.

The council also sent out to Broadway managers the new basic agreement covering operations until Sept. 1, 1941. Ballots on the Sunday show referendum will be counted on Nov. 1 and if the referendum is passed, Sunday shows will be permitted on Broadway on Nov. 3.

F. P. Canadian Names Clearance Members

TORONTO, Oct. 1. — Thomas J. Bragg, Ben Geldsaler and Morris Stein have been named as the three representatives of Famous Players Canadian Corp. on the newly created national clearance board which will draft new booking rules and clearance schedules for all Canada. Eventually it will act as a field board for trade differences arising in territories under regional board jurisdiction.

Independent exhibitors have yet to name three representatives, one for the Independent Theatres Association of Ontario, and one each for Eastern Canada and the Western provinces. It is anticipated all three independents will be Toronto men for the sake of convenience.

Associated Screen News Reorganized

MONTREAL, Oct. 1. — Under a reorganization of Associated Screen News, Ltd., Canada's oldest film enterprise, Ben E. Norrish, founder of the company and present managing director, has been named president. Sir Edward Beatty, chairman and president of the Canadian Pacific Railway, has been added to the board of directors.

Since the outbreak of war last September Associated Screen News has been working with both the National Film Board and the Canadian Government Motion Picture Bureau at Ottawa, turning out propaganda films and war pictures.

115 Members Added To Wardrobe Local

HOLLYWOOD, Oct. 1.—Organizing of studio workers under the A.F.L. went into high gear this week as Aubrey Blair, organizer, announced 115 members would be admitted to the wardrobe local. The local's charter has been dormant four years. Blair is also seeking to open negotiations for office maintenance employes.

Kallet Buys Two Houses

ALBANY, Oct. 1. — Kallet Circuit, which operates out of Oneida, N. Y., has taken over the Norberry in Ellenville and the Center at Woodburn.

FILE COPY
DO NOT REMOVE
M. P. PRODUCERS & DISTRIBUTORS OF AM., INC
28 WEST 44TH ST., NEW YORK, N. Y.
3 COPIE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Impartial

VOL. 48. NO. 67 NEW YORK, U.S.A., THURSDAY, OCTOBER 3, 1940 TEN CENTS

600 in Trade Honor Quigley AtAmpaLunch

Publisher Lauds Spirit Of Cooperation

By SHERWIN A. KANE

Appreciation to industry leaders of the past quarter century was expressed by Martin Quigley for their approval of and assistance to his editorial objectives in motion picture trade journalism at the luncheon tendered him by Ampa at the Hotel Edison yesterday on the occasion of his 25th anniversary as a trade paper publisher.

Approximately 600 members of the industry attended the luncheon. Numerous congratulatory wires were received from Hollywood executives and stars.

"Those who have been in positions of authority in this business," Quigley said, "always have been kindly, helpful and tolerant toward any publication which demonstrated that it had the best interests of the business in mind."

Sighting Adolph Zukor in the audience before him, Quigley said the Paramount veteran was "a distinguished symbol of the type of industry executive I have sought to work

(*Continued on page 2*)

Weitman Is Head of Lodge Entertainment

Robert M. Weitman, manager of the Paramount theatre, has been appointed chairman of the entertainment committee for the Cinema Lodge's first annual banquet and ball at the Hotel Pennsylvania on Oct. 26.

On Weitman's committee are: Victor Blau, Jesse Block, Phil Bloom, Zev Epstein, Ed Fishman, Harry A. Gourfain, Harry Kalcheim, Jesse Kaye, William Kent, Ted Lewis, Abe Lyman, Harry Mayer, Michael Nidorf, Milton Pickman, Emanuel Sacks, Edward Sherman and Michael Todd.

Stockholders Name Monogram's Board

Monogram stockholders at a meeting yesterday reelected the following as directors for the coming year: Scott R. Dunlap, W. Ray Johnston, Thomas Loach, John Mangham, Samuel Broidy, O. Henry Briggs, Trem Carr, Col. T. C. Davis and M. C. Travis. Loach, vice-president and treasurer of the company, presided at the session.

World Series Hits Cincinnati Houses

Cincinnati, Oct. 2.—Theatre attendance suffered here today, as thousands of transients crowded the city for the opening of the World's Series between Cincinnati and Detroit.

Other business besides theatres was practically at a standstill except hotels and restaurants. The same situation is expected to prevail tomorrow, and a decline is expected at the weekend as a result of an exodus of Cincinnati fans to Detroit for the following games.

Bands Ask Petrillo Aid in Music Fight

Leaders of "name" bands moved yesterday to enlist the services of James C. Petrillo, American Federation of Musicians president, to save them from being "put in the middle" of the current dispute between broadcasters, Ascap and Broadcast Music, Inc. At a meeting at the Hotel Astor with officials of Local 802 of the A.F.M., the leaders called upon the union heads to bring about some settlement which would avoid the scrapping of extensive music libraries.

Jack Rosenberg, 802 president, told the leaders that the union had no interest in either Ascap or BMI and was willing to support its members in any controversy. A committee headed by Eddy Duchin and including Fred Waring, Johnny Green, Meyer Davis, Ben Cutler and Nat Schilkret was appointed to meet with Rosenberg for the purpose of working out details. Later, the committee will make a direct appeal for help to Petrillo.

Rockne Celebration In South Bend Today

South Bend, Oct. 2.—Numerous industry personalities and press representatives are scheduled to arrive here tomorrow for the three-day Knute Rockne celebration, which will be climaxed by the world premiere Friday of the Warner film, "Knute Rockne—All American," and a grand ball. The groups from New York and Los Angeles will meet in Chicago and then continue on here.

A banquet in honor of Mrs. Rockne will take place tomorrow night. This will be highlighted by a message from President Roosevelt read by Franklin D. Roosevelt, Jr. At the ball, the grand march will be led by Knute Rockne, Jr., and Gail Page, featured in the film.

'Dictator' to Play In London at Two Theatres at Once

In London, Charlie Chaplin's "The Great Dictator" will be presented simultaneously at the Gaumont and the Odeon Theatres, the former on a reserved seat policy, and the latter on a continuous, popular priced policy, it was announced yesterday by Arthur W. Kelly, vice-president of United Artists and chief of that company's foreign department.

U.A. sales terms on the film in England will be "in keeping with current theatre conditions there," Kelly stated, and it is expected that a master print being prepared for British use will be ready for shipment in about 10 days.

Kelly further stated that Chaplin "believes it is a duty and a privilege to do everything in his power to promote the morale of the British people in this period of crisis through the healing qualities of hearty laughter. We realize also that exhibitors there are making a heroic effort to carry on the battle of business in the midst of the war and should receive every encouragement and suport to keep their theatres open."

Republic Will Open Mystery in Atlanta

Atlanta, Oct. 2.—The premiere of Republic's "Who Killed Aunt Maggie," from Medora Field Perkerson's mystery, will be held here Oct. 17 at the Rialto.

The opening is scheduled for 11:30 P. M., with all the trimmings of a Hollywood premiere, including bright lights, visiting officials and the like.

Miss Perkerson, resident of this city, will be the honored guest at the premiere. All members of the film's cast have been invited to attend by Mayor Hatsfield of Atlanta. They will fly to the opening from Hollywood.

'Fantasia' to Open Here November 13

The Walt Disney feature, "Fantasia," will have its world premiere on Nov. 13 at the Broadway theatre here. It will be the only theatre in which the film will be shown in New York.

After the opening night, the film will be shown twice daily on a reserved seat policy. Matinee prices will be scaled from 55 cents to $1.10 weekdays, and 55 cents to $1.65 on Saturday, Sunday and holidays. Evening prices throughout the week will be scaled from 75 cents to $2.20.

Reach Final Agreement on Decree Form

Consenting Companies to Sign in Washington

With all differences of views on the proposed Federal consent decree resolved yesterday by attorneys for the Government and the consenting companies, formal approval of the draft by both sides is scheduled to be given at a joint meeting to be held in Washington either tomorrow or next Tuesday.

The meeting, originally scheduled for tomorrow, may be deferred until Tuesday due to the Jewish holidays and the absence of Assistant Attorney General Thurman Arnold from Washington. Arnold will not arrive from the West Coast until the weekend. Regardless of which day is set for the meeting, the hearing on the decree scheduled for Monday before Federal Judge Henry W. Goddard will be postponed until the following Monday, Oct. 14.

Robert Sher, James Hayes and Robert Wright, Assistant Attorneys General, will leave for Washington today, and after Department of Jus-

(*Continued on page 7*)

Roosevelt to Make Five for Bronston

Hollywood, Oct. 2.—Samuel Bronston, president of Samuel Bronston Productions, Inc., today signed James Roosevelt to produce five films for his organization, which in turn will use Roosevelt's release franchise with United Artists to distribute them.

The deal will not include "Pot o' Gold," in which James Stewart, Paulette Goddard and Horace Heidt will be starred, and which Roosevelt will produce directly for United Artists release.

The first of the Bronston-Roosevelt group will be Jack London's novel, "Martin Eden," with Lloyd Bacon directing. Bronston said today all the films will carry high budgets and that Henry Henigson has signed as production manager. Henigson also is production manager for Roosevelt's Globe Productions, which makes slot machine films for Mills Novelty Co. machines. The deal came through a readjustment of the original agreement between Roosevelt and Bronston, who merged production forces for feature pictures.

Personal Mention

LOUIS B. MAYER and HOWARD STRICKLING will leave for the Coast tomorrow after a brief visit to the M-G-M home office.

•

GEORGE J. SCHAEFER, president of RKO, will leave for the Coast studio Oct. 11.

•

E. BRUCE JOHNSON, president of General Register Corp., is recuperating at his home after having been taken ill while on a recent trip to the Coast.

•

HOMER B. SNOOK, sales manager of RCA Photophone, is recuperating after an appendicitis operation performed while on a recent visit to the Coast.

•

IRVING LINER, manager of Proctor's, Troy, N. Y., only surviving member of the famous "Lost Battalion" in the Albany area, attended the annual reunion dinner of the group here.

•

ARTHUR LOEW, HERMAN WOBBER, MORRIS GEST, SIDNEY PHILLIPS, OTTO PREMINGER, ARTHUR MAYER, JOSEPH ROSTHAL, JOHN D. HERTZ, JR., ROBERT RICE and JOHN GOLDEN having lunch at Sardi's yesterday.

•

HARRY L. GOLD, RUBE JACKTER, MILTON BERLE and ARTHUR SILVERSTONE lunching yesterday at Lindy's (next to the Rivoli).

•

OSCAR HAMMERSTEIN, SIGMUND ROMBERG, OWEN DAVIS, WILLIAM ORR, ALFRED MCCOSKER, GEORGE WELTNER, FRED LANGE, IRVING CAESAR and GEORGE SKOURAS at Nick's Hunting Room in the Astor yesterday for lunch.

•

AL ALTMAN, SAM CITRON, DOUGLAS ROTHACKER and JEFFREY BERNERD at the Tavern for lunch yesterday.

•

HAL HORNE, LOUIS BERNSTEIN, SOL BORNSTEIN, HARRY LINK and ARTHUR GOTTLIEB having lunch yesterday at Lindy's (51st St.).

Trade Aids Canada Red Cross Campaign

TORONTO, Oct. 2.—Industry executives are aiding in the $5,000,000 appeal of the Canadian Red Cross, under the auspices of the Canadian Picture Pioneers.

A subcommittee which is canvassing exchanges includes: Gordon Lightstone, chairman; Paul Nathanson, Frank O'Bryne, Louis Rosenfeld, Herbert Allen and E. H. Wells. The National subcommittee on theatre subscriptions includes: Nat Taylor, chairman; Sam Fine, Ben Geldsaler, Harry Firestone, Jules Bernstein, Harry Alexander, Harry Ginsler, Richard Main and M. L. Axler.

Schenck Trial Nov. 15

Federal Judge John W. Clancy yesterday fixed trial of the Government tax suit against Joseph M. Schenck and Joseph H. Moskowitz for Nov. 15 by request of all parties. Defendants will be notified by Oct. 15 as to which of two indictments the Government will proceed with first.

As Ampa Honors Martin Quigley



As the Ampa paid tribute to Martin Quigley at the Edison Hotel yesterday, the photographer caught this informal picture. From left to right, at the table, are: Howard Dietz, who introduced the guest of honor; Martin Quigley, and Leon Bamberger, president of the Ampa, at the microphone. Below, left to right, are: Mike Simons, Sam Rinzler and E. K. O'Shea.

Martin Quigley Honored On His 25th Anniversary

(*Continued from page* 1)

with through the years and from whom hearty cooperation has been received on all matters aimed for industry betterment.

"I never approached him with any project for the betterment of the industry," the publisher said of Zukor, "that I did not receive not only his hearty approval but his active cooperation. I commend him and his type as an example and an encouragement to the younger members of the industry, particularly those whose responsibility it is to promote the motion picture."

After expressing his appreciation to Ampa and its guests for the reception accorded him, Quigley reviewed his first association with the industry as a trade paper publisher, observing that at no time has he had "any doubt or hesitation" over the career he chose.

"What I have done," he said, "was done with honesty of purpose. Its cordial reception by the industry will remain with me as a great and continuing source of satisfaction."

"The job—publication-wise—," he remarked, "could not have been done where there was not a free press."

Purpose to Render Service

"I have never," observed Quigley, "indulged in any illusion that I was running anybody's affairs but my own. But as to my editorial efforts I have indulged in the precise conviction that the job I had to do could best be done by myself and my associates and no one else.

"I have always recognized that the reason for my editorial existence was to render a service in support of, in promotion of, and in defense of the motion picture and the industry. With no authority whatever for the position I have always construed any attack on the motion picture or the industry as an attack on me and my work.

"I do not undertake to say that I have advocated only the best and opposed only the worst—but for better or for worse, what has been done, has been done with honesty and sincerity of purpose.

"In these 25 years I have received not only cooperation but hearty encouragement on every scheme proposed for the betterment of the motion picture and the business."

Quigley was introduced by Howard Dietz, advertising and publicity director of Loew's, who described himself as "a friend of Martin Quigley's for many years, during which time we have seldom agreed on anything—even the amount of advertising space M-G-M should take in his papers."

Too Late to 'Go Straight'

Dietz observed that Quigley "started in the industry about the same time the industry started—and it's too late for him to 'go straight' now.

In closing his remarks, he said he was bestowing on Quigley "the highest honor that can be bestowed—the Sacred Order of Leo."

A huge, be-ribboned gift box, inscribed "From M-G-M to Martin," was borne to the dais and a live lion cub removed from its interior.

Terry Ramsaye, editor of *Motion Picture Herald,* recalled his early associations with the publisher when both were reporters for the *Chicago Tribune.* Their acquaintance was renewed, Ramsaye related, when he returned to Chicago from New York to establish offices there for the old Mutual Film company.

"It was an experiment to see how far a motion picture company could move from Wall Street," Ramsaye explained. "We moved too far."

Quigley was just beginning his publishing career in Chicago at the time. Ramsaye recalled that in 1915 Quigley already was campaigning editorially for higher admission prices, longer runs, against censor boards and was supporting Samuel Goldwyn's fight against overproduction.

With the trade paper merger of 1930, Ramsaye became editor of *Motion Picture Herald.* Their relations have remained much the same since, Ramsaye said, "with this exception—I'm going to press tonight as usual, and he's going to North Carolina, fox hunting."

Many Wires Received

Leon Bamberger, Ampa president, referred to the capacity attendance as "a tribute to the guest of honor." He appealed to the industry leaders who were present to give Ampa their support, asserting that the organization had demonstrated its worthiness by remaining active and continuing its growth and work for so many years.

Among the wires received from industry figures out of town were those from the following: Will H. Hays, Samuel Goldwyn, Darryl F. Zanuck, Charles Chaplin, Joseph M. Schenck, Cecil B. DeMille, Spyros Skouras, A. M. Botsford, Mitchell Leisen, William Le Baron, Nate Spingold, Harold Lloyd, David Bernstein, A. W. Smith, Walt Disney, J. J. Nolan, Harry Cohn, Cliff Work, Sol Lesser, Sol M. Wurtzel, William Goetz, Harry Edington, Henry Ginsberg, Arthur Hornblow, W. Ray Johnston, Matthew J. Fox, Earl J. Hudson and Bing Crosby.

Also: William Pine, Fred MacMurray, Dorothy Lamour, Jack Benny, Robert Cummings, Andy Devine, Melvyn Douglas, Wesley Ruggles, Madelein Carroll, Gene Autry, Judy Canova, Roy Rogers, Gabe Yorke, W. M. Meiklejohn, T. E. Mortensen, Zasu Pitts, Boris Karloff, Gene Towne and Graham Baker, Boris Morros, Alice Faye, Don Ameche, Tyrone Power, Anna Neagle, Kay Kyser, Bob Crosby, W. C. Fields, Ginger Rogers, Deanna Durbin, David Butler, Robert H. Poole, Cliff Lewis, Phil Reisman, Eddie Dowling and J. J. Murdock.

Seated at Dais

On the dais at the luncheon were: Quigley, Bamberger, Dietz, Ramsaye, Colvin Brown, Sam Shain, Abel Green, Eli Sugarman, Pete Harrison, Jack Alicoate, Jay Emanuel, Red Kann, Chester Bahn, Charles Lewis, Ben Shlyen, Lionel Toll and Mo Wax.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.



HAPPY DAYS!...

Here comes a glamorous new world of talent, youth, beauty and song, in . . .

GEORGE ABBOTT'S TERRIFIC BROADWAY

Kissable co-eds by the score . . . romance sparkling in a river of rhythm . . . Fun, fight, football—even cowboys! . . . More story, more songs, more dancing, more laughs, more of everything folks want than you've ever had in a musical! . . . AND THAT KIND OF A SHOW IS BIGGEST BOX-OFFICE OF ALL, RIGHT NOW!



MUSICAL HIT!



NY GIRLS!



EIGHT RODGERS AND HART SONG HITS OF ANYBODY'S TOP TEN:
"Love Never Went To College"—"I Didn't Know What Time It Was"—"Heroes In The Fall"—"Pottawatomie"—"Look Out"—"Spic and Spanish"—"You're Nearer"—"Cause We Got Cake"

with top talent from the stage show and Hollywood

LUCILLE BALL • RICHARD CARLSON • ANN MILLER • EDDIE BRACKEN • FRANCES LANGFORD • DESI ARNAZ • HAL LEROY

Produced and Directed by **GEORGE ABBOTT**

HARRY E. EDINGTON, *Executive Producer*

Screen Play by JOHN TWIST

RKO RADIO PICTURES



Ginger Rogers, as America's white-collar Girl, in Christopher Morley's "Kitty Foyle," now in production as one of the forthcoming big RKO RADIO shows, which include pictures like Carole Lombard and Charles Laughton in "They Knew What They Wanted" — Kay Kyser and his band in "You'll Find Out" —Anna Neagle in "No, No Nanette" and Orson Welles in "Citizen Kane."

AFRA, Network Dispute Is Settled

Dispute between the American Federation of Radio Artists, major networks and stations in New York, Chicago, Los Angeles and San Francisco concerning wages for performers on sustaining shows was settled amicably last night. Terms were not revealed.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACTS OF CONGRESS OF AUGUST 24, 1912, AND MARCH 3, 1933

Of MOTION PICTURE DAILY, published daily, except Saturdays, Sundays and holidays, at New York, N. Y., for Oct. 1, 1940.

STATE OF NEW YORK } ss.:
COUNTY OF NEW YORK }

Before me, a Notary Public in and for the State and county aforesaid, personally appeared Theo. J. Sullivan, who, having been duly sworn according to law, deposes and says that he is the Business Manager of the MOTION PICTURE DAILY and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management (and if a daily paper, the circulation), etc., of the aforesaid publication for the date shown in the above caption required by the Act of August 24, 1912, as amended by the Act of March 3, 1933, embodied in section 537, Postal Laws and Regulations, printed on the reverse of this form, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are:

Publisher and Editor-in-Chief, Martin Quigley, 1270 Sixth Avenue, N. Y. City.

Editor, Sam Shain, 1270 Sixth Avenue, N. Y. City.

Managing Editor, Alfred L. Finestone, 1270 Sixth Avenue, N. Y. City.

Business Manager, Theo. J. Sullivan, 1270 Sixth Avenue, N. Y. City.

2. That the owner is: (If owned by a corporation, its name and address must be stated and also immediately thereunder the names and addresses of stockholders owning or holding one per cent or more of total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a firm, company, or other unincorporated concern, its name and address, as well as those of each individual member, must be given.)

Quigley Publishing Company, Inc., 1270 Sixth Avenue, N. Y. City.

Martin Quigley, 1270 Sixth Avenue, N. Y. City.

Gertrude S. Quigley, 1270 Sixth Avenue, N. Y. City.

Colvin W. Brown, 1270 Sixth Avenue, N. Y. City.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages, or other securities are: (If there are none, so state.)

None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner; and this affiant has no reason to believe that any other person, association, or corporation has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

5. That the average number of copies of each issue of this publication sold or distributed, through the mails or otherwise, to paid subscribers during the twelve months preceding the date shown above is 5,014. (This information is required from daily publications only.)

THEO. J. SULLIVAN,
Business Manager.

Sworn to and subscribed before me this 30th day of September, 1940.

ANNA MILBERT,
(SEAL) Notary Public N. Y. Co. No. 210, Reg. No. 2M401.
(My commission expires Mar. 30, 1942).

Off the Antenna

CBS and Mutual showed marked increases in gross billings during September, with the first nine months' cumulative figures well in advance of last year. During September, CBS grossed $3,108,448, a rise of 21.3 per cent over the same month last year and $29,512,875 for the first nine months, up 22.1 per cent.

MBS gross billings for September were $283,463, up 34.6 per cent while the nine-month gross was up 23.1 percent to $2,777,833.

• • •

General Electric Co. *has assumed operation of WYG, Schenectady, although it will continue to be serviced with programs by NBC. The policy is along the same lines which caused Westinghouse to assume operation of its stations. KOA, Denver, and KGO, San Francisco, both of which are owned by General Electric, will not be affected by the new policy since NBC is the licensee of both stations.*

• • •

First prize for the best radio news reporting among foreign correspondents covering the war was awarded to Edward R. Murro, CBS correspondent in London, by the Overseas Press Club yesterday. A typewriter with an engraved plate was given to Paul W. White, CBS director of public affairs, for transmission to Murro. William L. Shirer, CBS Berlin correspondent, was runner-up.

• • •

WKIP, Poughkeepsie, *will become the 203rd NBC affiliate Sunday when it joins the Blue network as a bonus outlet for WABY, Albany. WKIP operates on* 1,420 *k.c. with* 250 *watts, unlimited time. The basic rate is* $6 *per hour nights.*

• • •

Mutual's sales promotion department has been awarded first prize by the Direct Mail Advertisers Association for the network's direct mail campaign to agencies and sponsors.

• • •

WCAB, the CBS short wave station in Philadelphia, will broadcast all house games of the University of Pennsylvania football team. The broadcasts will be in Spanish and beamed to Latin America. A half hour before game time will be devoted to explaining the game of football to the South American audience.

Pa. Games Ruling Expected Shortly

PHILADELPHIA, Oct. 2.—A ruling on the legality of theatre Bank Night is expected to be made by the State Superior Court following argument before the court on an appeal of J. C. Lund, operator of the State and Strand, in Aliquippa, Pa.

Lund was held guilty by the lower court of conducting an illegal lottery in awarding Bank Night prizes to patrons of both houses.

Auten Suit Settled

Settlement of the suit of Maurice Manger and Marcel Coutant as trustees of Societe Pathe Cinema S. A. against Harold Auten has been filed in N. Y. Supreme Court. Auten must pay $3,000 and surrender prints and negatives of seven films produced by the plaintiff. The suit charged Auten had failed to account for the proceeds of films received under a contract which gave the defendant U. S. distribution rights.

Dunn Gets NBC Post

Ashton Dunn, formerly superintendent of training in NBC's personnel division, has been appointed personnel manager, V. J. Gilcher, director of the general service department, announced yesterday.

Power Gain to WNEW

WNEW was granted a power increase to 5,000 watts full time by the FCC, it was announced yesterday. A new transmitter will be erected at Carlstadt, N. J., within three months, it was said. WNEW now operates on 5,000 watts day and 1,000 at night.

Ford Will Produce 'Judge Priest' Films

HOLLYWOOD, Oct. 2.—Charles E. Ford, former editor of Universal Newsreel, has acquired the film rights to Irvin S. Cobb's "Judge Priest" stories and plans to produce three annually, with Bob Burns in the title role.

Cobb's stories had been filmed by 20th Century-Fox with the late Will Rogers, but the rights reverted to the author on Rogers' death. Ford has not set a releasing deal as yet.

Bund Drops Suit

The German American Bund yesterday discontinued its $5,000,000 libel suit against Warners in the U. S. District Court. The Bund with Fritz Kuhn had filed suit claiming that "Confessions of a Nazi Spy" libelled them because it depicted them as being engaged in subversive activities. Kuhn, serving a prison sentence, must decide by Nov. 15 whether he intends to press his suit. Stanleigh P. Friedman, Warner counsel, reluctantly permitted the discontinuance.

Ampa to Hear Brandt

Harry Brandt, president of the I. T. O. A., will be guest speaker at the next regular meeting of Ampa, to be held at the Hotel Edison Oct. 17.

Close School Film Pact

LOS ANGELES, Oct. 2.—A contract which may aggregate 10,000,000 feet of 16 mm. color film annually for educational purposes was signed here today by Forum Films with Cinecolor. Prints will be sold outright to schools.

FCC to Investigate Foreign Programs

WASHINGTON, Oct. 2.—Representatives of the international broadcasting stations will meet Monday with Gerald B. Gross, chief of the International Section of the Federal Communications Commission, for an informal discussion of possible safeguards against the dissemination of subversive propaganda by foreign-language speakers using their facilities.

The meeting will consider the adoption of a requirement that all speeches planned for broadcasting on the international programs be reduced to writing and speakers required to stick to the text. Transcriptions would be made of the programs for checking against the scripts if necessary.

The move, initiated by the FCC, is in line with the commission's policies under the national defense program. It was stressed that the plan is to cooperate with the broadcasters in keeping the air free from subversive material and there is no implication that any misuse of station facilities has been experienced.

Decree Completed; Up to Washington

(*Continued from page* 1)

tice officials have examined the rephrased draft of the decree, the day for the final meeting will be decided. Since the purpose of the meeting is to obtain formal acceptance of the decree from the consenting companies on the one hand, and the Government on the other, it is believed that the top executives of the defendant companies will attend the meeting.

Provisions which have been redrafted include those pertaining to the right of distributors to sell their entire product to their affiliated theatres, and their rights in connection with the making of long-term franchises during recent months. The intent of these agreements, as defined earlier, however, has not been changed by the re-phrasing, Government spokesmen said.

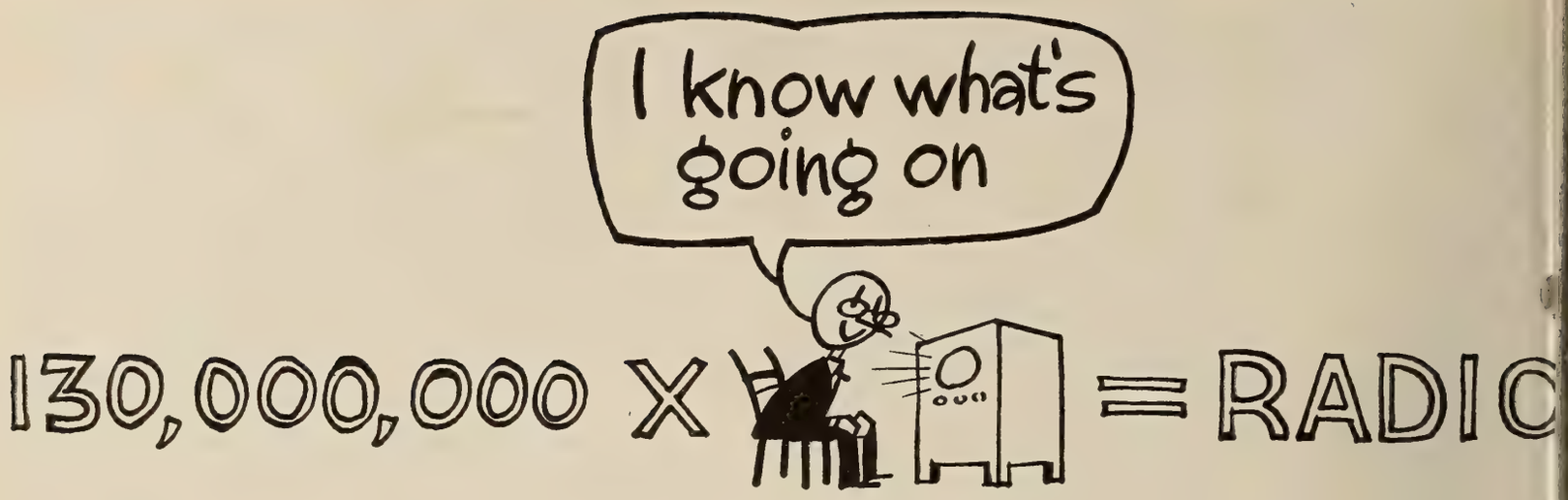
WISCONSIN ALLIED TO FOLLOW NATIONAL BODY'S DECREE STAND

MILWAUKEE, Oct. 2.—The I.T.P.A. of Wisconsin and Upper Michigan agreed today to leave organizational policy on the proposed Federal consent decree to National Allied, following a round-table discussion here at which both good and bad features of the pact were cited.

Sidney E. Samuelson, a director of the national organization, came here from Philadelphia to participate in the discussion which served as a prelude to the local organization's three-day convention.

Club Charity Party Set

COLUMBUS, O., Oct.. 2.—The Columbus Variety Club will hold its third annual barn dance and frolic in the Columbus Auditorium Oct. 25, to obtain funds for an educational foundation at Nightingale Cottage, local tuberculosis preventorium for children, according to C. Harry Schreiber, chief barker. Milton Straub is general chairman of the affair. Executive committee is composed of Schreiber, Virgil A. Jackson, Max Stearn and Lou Holleb.



Millions of Ears Perked for Vital Messages

24 hours are a lot of minutes—and not everybody can be expected to like every minute of radio's 24 hours a day.

Some people like what's on the radio at 11:15 or 12:30 or some other hour—and some get mad at it.

A certain amount of recognition of diversity of tastes is necessary on the part of anybody who runs a national broadcasting system for everybody. And a certain amount of tolerance, on the part of listeners, for the diverse desires of other listeners is necessary if America is to have a free and universal radio.

Remember that radio, along with its vast audience, is a pretty good thing for the nation to have on tap when serious matters need country-wide attention QUICK.

In recent months we've had a beautiful demonstration of the way radio rises instantly to occasions for the public good. Overnight—in fact, almost in minutes—America (thanks to radio) became aware of her critical situation in regard to preparedness. In *hours* (where once it would have taken months) America's 130 millions were made familiar with all angles of the Government's preparedness program. America even accepted the prospect of increased taxes without a whimper because America knew, knew, knew, thanks to radio.

When you are inclined to be impatient with some of radio's shortcomings, or are moved to want it "all highbrow", bear in mind that radio has in its own way achieved a popularity with the people as a whole which gains their universal ear—which is mighty handy to have—when they must be made aware *instantly* of any inherently critical situation in our national life.

NATIONAL BROADCASTING COMPANY

The World's Greatest Broadcasting System

A Radio Corporation of America Service

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 68 NEW YORK, U. S. A., FRIDAY, OCTOBER 4, 1940 TEN CENTS

Early Sunday Openings For London Asked

Government Starts Own Mobile Show Units

LONDON, Oct. 3.—Indications are that London theatres will be permitted to open earlier on Sundays throughout the Winter. Openings as early as 1 P. M. are being considered.

Exhibitors will confer on the subject immediately, and well informed sources believe that the Government licensing body regards the move favorably. In his connection, the licensing group is believed to be considering an alteration of the theatre tax structure, with a five per cent levy believed to be in preparation to supplant the present charity performances.

London's West End theatre group is reported to favor earlier closings on week days and possible all-day closings on Mondays, as a corrollary of the earlier Sunday openings.

The C.E.A. general council will not meet this month, but its war executive committee will meet next Wednesday at Reading, where C.E.A.'s country headquarters are situated.

Meanwhile the Ministry of Information today screened its first films here intended for exhibition by traveling units in remote villages and districts where there are no established theatres. Exhibitors were assured officially that there would be no encroachment by the Government units on their trade territory.

To Meet on British Quota Act Relief

London, Oct. 3.—Formal conferences on measures designed to give American distributors some form of relief or exemption from the Quota Act due to war conditions will be begun next week.

F. W. Allport, M. P. P. D. A. London representative, and officials of all major American companies here will meet with E. B. Somervell of the Films Department of the Board of Trade at a luncheon next Wednesday to present their case for exemptions from the Quota Act. Concrete action is expected to follow.

A.F.L. Studio Drive To Organize 5,000 Starts in 2 Weeks

HOLLYWOOD, Oct. 3.—American Federation of Labor organizers in two weeks will have their drive well under way to organize 5,000 studio workers not now affiliated with the A.F.L., Aubrey Blair, in charge of the drive, said here today.

Wardrobe department workers, building service employes and office help are the first objectives of the organizers. A tentative organization already has been established for wardrobe workers. Building service employes are loosely organized, with Ray Finelli, business representative, serving as an officer of their international. However, there are estimated to be 2,000 workers in this classification still unorganized.

Overtures have been made to the Screen Office Employes Guild, an independent unit, which now has on file with the N.L.R.B. a petition for its certification as the bargaining agency for office employes in about eight studios.

Blair said that new organizations which become affiliated with the A. F. of L. would be given full autonomy and complete assistance from other locals in obtaining bargaining contracts with producers.

John Maxwell, 63, Dies in London

LONDON, Oct. 3.—John Maxwell, chairman and managing director of Associated British Picture Corp., died here last night. He was 63 years old.

In recent months he had been constantly attended by a nurse. Maxwell was a pioneer in the British film industry, having started as an exhibitor in 1912. Later he became identified with Wardour Films, Ltd., and as its chairman developed it to a ranking position in British distribution. He was a founder of British International Pictures, Ltd.

Maxwell also was chairman and managing director of Associated British Cinemas and Union Cinemas, Ltd.

'Rockne' Dinner Held On Eve of Premiere

SOUTH BEND, Ind., Oct. 3.—On the eve of the four-theatre opening of Warners' "Knute Rockne—All-American" here tomorrow evening, Hollywood players and civic notables attended a banquet tonight at Notre

(Continued on page 9)

NBC Leases Capital Television Quarters

Washington, Oct. 3.—NBC today signed a five-year lease with the Wardman Park Hotel owners here for television studio, office and theatre facilities. The antenna will be located on the hotel's hill property and will rise 350 feet into the air to clear all obstructions in the vicinity.

The proposed 1,000-watt station will have a mobile television unit and motion picture scanning unit, and is intended eventually as a key link in NBC's proposed television network.

'Band' and 'Virginia' Lead B'way Parade

"Strike Up the Band" grossed an estimated $40,000 in its first five days at the Capitol on Broadway and is expected to do an estimated $50,000 or better in the week ending tonight. It will be held.

Another strong attraction is "The Howards of Virginia" at Radio City Music Hall which, with a stage show, drew an estimated $85,000 in its first week and is being held over.

Business on Broadway yesterday, first day of the Jewish holiday, was generally reported as normal in the afternoon, with an increase at the evening shows.

"Spring Parade" opened yesterday at the Roxy following the 13-day run of "Brigham Young—Frontiersman." The latter grossed an estimated $22,000 in the last six days. "Charlie Chan at the Wax Museum" finished a week at the Rialto with an estimated $5,500 and was replaced yesterday by "Diamond Frontier." The second week of "Pastor Hall" at the Globe was good for about $9,000 and is being held.

Atlas Corp. Adds To RKO Holdings

WASHINGTON, Oct. 3.—Acquisition by the Atlas Corporation, Jersey City, N. J., of 3,228 shares of Radio Keith Orpheum common stock and 1,400 shares of preferred stock in August was reported today by the Securities and Exchange Commission in its semi-monthly summary.

The report showed that 928 shares of the common stock were received as a creditor and that at the end of the month Atlas held, as beneficial owner of more than 10 per cent of the film

(Continued on page 9)

5 Companies Are Authorized To Sign Decree

Formal Acceptance to Be Given Next Tuesday

Formal authorization for signing the proposed Federal consent decree has been given officers of the five consenting companies by their boards of directors, it was learned yesterday.

The RKO board acted at a meeting yesterday, while Paramount and Loew's boards reportedly authorized the acceptance on Wednesday. Twentieth Century-Fox and Warners' boards are reported to have authorized officers of those companies earlier either to accept or reject a decree, whichever in their judgment was most advisable.

Meanwhile, Department of Justice officials in Washington yesterday fixed Tuesday as the definite day for the meeting there with representatives of the five consenting companies, at which formal acceptance of the decree is scheduled to be given by both sides. The meeting was to have been held either today or Tuesday. The latter was selected because of the Jewish holiday today and the fact that Assistant Attorney General Thurman Arnold will not arrive in Washington from the West Coast until tomorrow.

Government attorneys on Monday will request a one-week adjournment to Oct. 14 of the hearing on the decree before Judge Henry W. Goddard. Rephrasing of the decree in line with the agreements reached during

(Continued on page 9)

N. M. Schenck Safe In Boat Accident

Nicholas M. Schenck, president of Loew's, was rescued yesterday morning from his 38-foot cabin cruiser *Martha* after the craft had crashed at 38 miles an hour into a log floating in the East River. The water was five feet deep in the boat's compartments before a tugboat hove to and effected Schenck's rescue from the deck. He was en route to his office from his home in Great Neck, L. I., when the accident occurred.

Wis. ITPA Reelects Ainsworth Head

MILWAUKEE, Oct. 3.—William L. Ainsworth of Fond du Lac was reelected president of the Independent Theatres Protective Association of Wisconsin and Upper Michigan at the concluding session of the organization's annual convention here today.

A. C. Gutenberg of Milwaukee was reelected vice-president and Max Krofta, Racine, secretary. August Berkholtz, West Bend, was elected treasurer succeeding H. J. Mirisch, Milwaukee. In addition to the officers, those elected as directors are F. J. McWilliams, Portage; Bert Nathan and George Langheinrich, Milwaukee; Mrs. Frank Eckhardt, Wisconsin Rapids; Ben Marcus, Ripon; William Smith, Menomonie; Mark Morgan, Cedarburg, and John P. Adler, Marshfield Harry Perlewitz was reappointed business manager.

In addition to hearing an address by Sidney E. Samuelson of Philadelphia, representing national Allied, the delegates had an open forum discussion on contracts, unfair competition and legislation, including daylight saving time. Action on most matters was left to the directors.

Three Openings for 'Thief' in One Week

"The Thief of Bagdad," Alexander Korda-U. A. film, will be given three premieres within one week. The opening Oct. 14 at Warm Springs, Ga., will be under the auspices of President Franklin D. Roosevelt. Sabu and June Duprez, members of the cast, will attend the premiere, at the President's infantile paralysis foundation.

The picture will open at the Carthay Circle, Los Angeles, and Globe, New York, Oct. 17. For the former opening, seats will be scaled up to $5 and proceeds will be donated to the M. P. Relief Fund and British-American Ambulance Corps. Press preview of the picture will be held at the Carthay Circle, Oct. 10.

Korda has extended his deal with the Russell Birdwell organization for the handling of advertising, publicity, exploitation and play dates on the picture through roadshow and first run engagements in the United States, Canada and South America.

Lindy's INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

STANTON GRIFFIS, chairman of the Paramount executive committee, returned from Bermuda by *Clipper* plane yesterday. It was his first flight.

•

HARRY HOPKINS, former Secretary of Commerce, has established office headquarters for President Roosevelt's Hyde Park library foundation in Comerford Circuit headquarters at 1600 Broadway.

•

ARTHUR PRATCHETT, Paramount Central American manager, will leave for Mexico City today following a home office visit.

•

LOUIS B. MAYER, LOUIS BERNSTEIN and JACK GOETZ at Lindy's (51st St.) yesterday for lunch.

•

HUNT STROMBERG, JOE E. BROWN, GEORGE RAFT, BASIL RATHBONE, DON AMECHE, EDGAR BERGEN, ETHEL BARRYMORE, GRANTLAND RICE, LOUIS BROMFIELD, TONY MARTIN and LANA TURNER are among those making the Cincinnati-Detroit World Series shuttle.

•

DAVE KAUFMAN, artist for the Loew-Poli circuit, New Haven, is here on a week's vacation.

•

MARY MCSORLEY of the Comerford circuit and GEORGE CAVANAUGH were married recently in Scranton.

•

GEORGIA FARTHING, secretary to DAVID KAMSKY, Neighborhood Theatres advertising head at Richmond, will be married tomorrow to FRANK KOEHLER.

ARTHUR LOEW, vice-president of Loew's, celebrates a birthday tomorrow.

•

TOM KILLEEN, Comerford theatres district manager in Wilkes-Barre, and MRS. KILLEEN are the parents of an eight-pound boy born at Wilkes-Barre Mercy Hospital.

•

LUCY FLACK, operator of the Capitol, Milford, Conn., is vacationing in Lakewood and Atlantic City.

•

CLARENCE J. BRIANT, New Orleans branch manager for M-G-M, has a birthday today.

•

H. G. WELLS arrived yesterday from England.

•

MILTON KUSELL, HELEN HAYES, J. J. UNGER, DONALD GIBBS, JOHN D. HERTZ, JR., PAT C. FLICK and ALEXANDER INCE lunching yesterday at Sardi's.

•

RICHARD BRADY, PAUL BENJAMIN, DWIGHT WIMAN, JOSHUA LOGAN and WILLIAM FITELSON at the Tavern for lunch yesterday.

•

CHARLES REAGAN, WILLIAM F. RODGERS, JOSEPH COOPER and TED O'SHEA having lunch at Nick's Hunting Room in the Astor yesterday.

•

FRANK J. FINNEGAN, projectionist at the Irving, Carbondale, Pa., and ELEANOR GINLEY of that city are newlyweds.

•

CHARLES SPAAK, Belgian scenarist, is en route to this country.

Abrams Resigns as 'U' Shorts Manager

Leo Abrams has resigned as short subjects sales manager for Universal, effective immediately. His future plans are not definite. No successor has been named yet.

Abrams was appointed a year and a half ago as shorts sales chief, a newly created post at the time. He had been New York exchange manager for 10 years and prior to that had been stationed at the company's branches in New Haven, St. Louis and Kansas City.

'They Knew' Premiere In Frisco on Tuesday

World premiere of RKO's "They Knew What They Wanted" will be at the Golden Gate Theatre, San Francisco, next Tuesday. The film stars Charles Laughton and Carole Lombard. Laughton and other players will attend, in addition to studio officials, Hollywood correspondents and representatives of Western newspapers.

Eastman Co. to Give Bonus to Draftees

ROCHESTER, N. Y., Oct. 3.—Eastman Kodak Co. employes called for military service will share in any wage dividend in 1941 and will be given a bonus of four weeks' pay when they leave for duty, the company announced here today. The company also promised them jobs on their return from service.

Britain to Get 75% Of Allied War Film

HOLLYWOOD, Oct. 3.—France will receive no benefits from the long planned Allied war film which RKO will distribute here. The charity proceeds have been revised so that Britain will receive 75 per cent, with 25 per cent to American charities. Shooting is expected to start within 10 days, after the first group of a long list of players scheduled for the film have completed present commitments.

London Raid Again Damages Para. Lab.

Paramount's Olympic laboratory at Acton was damaged for the second time in a bombing raid on London yesterday, the home office was advised.

Concussion from a bomb which burst nearby destroyed a projection room and wrecked windows.

Loew's Declares Dividend

Directors of Loew's, Inc., have declared a regular quarterly dividend of $1.62½ a share on the $6.50 cumulative preferred stock, payable Nov. 15 to stockholders of record Oct. 29.

Pettijohn Improving

Charles C. Pettijohn, general counsel for the M. P. P. D. A., now at the St. Agnes Hospital in White Plains after a gall bladder operation, was reported as improving yesterday.

Newsreel Parade

THE World Series shares prominence with war destruction in London, President Roosevelt and Wendell Willkie in the weekend issues, contents of which follow:

MOVIETONE NEWS, NO. 8—Havoc in London. Roosevelt inspects defenses. Speed plane production in Buffalo. Willkie on campaign tour. Open valves at Boulder Dam. World Series begins.

NEWS OF THE DAY, NO. 205—Air raid destruction in London. Willkie in Detroit. Roosevelt tours defenses. Boulder Dam celebrates anniversary. Detroit takes series opener.

PARAMOUNT NEWS, NO. 11—Frisco Fair closes. Peace ceremony at Peace Arch, Wash. Boulder Dam has a birthday. Willkie on tour in Michigan. Roosevelt inspects defenses. Destruction in London; business continues. World Series begins.

RKO PATHE NEWS, NO. 11—Scars of war in London. Roosevelt inspects tanks and bombers. South American army chiefs on tour here. Pathe film archives presented to Museum of Modern Art. Tennis matches. World Series begins.

UNIVERSAL NEWSREEL, NO. 916—Baseball in Cincinnati. Air raid destruction in London. Roosevelt inspects defenses. Willkie in Detroit. Produce speed planes in Buffalo. Valves opened at Boulder Dam. Cave men in Oregon. Coast Fair closes.

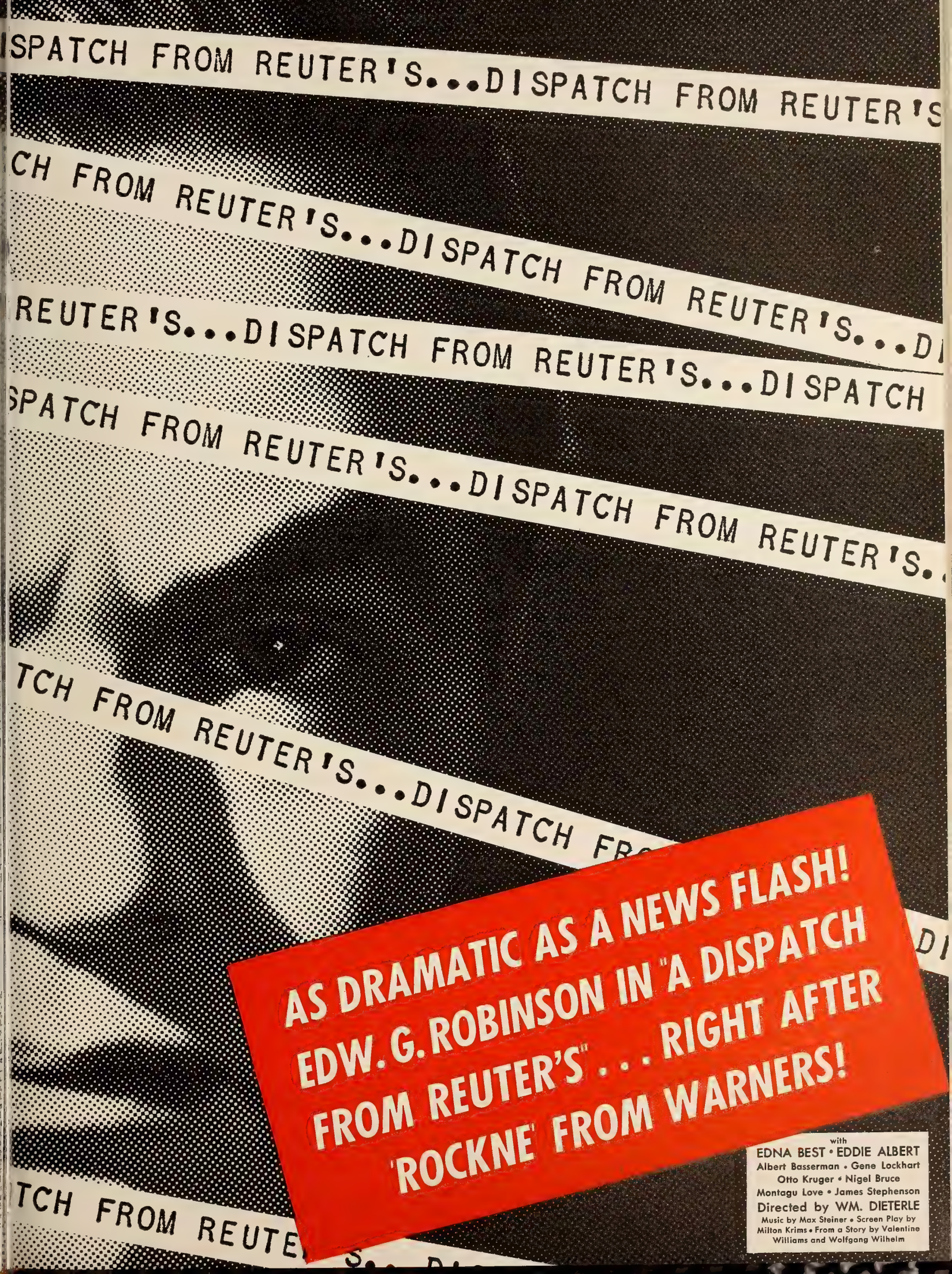
50 British Children Of Film People Here

A group of 50 English children arrived yesterday on the *Scythia*, and will go to homes provided by Warners and Eastman Kodak Co. This contingent supplements a group of about 120 children of Eastman Kodak employes at Harrow who were brought over about a month ago and will be cared for by Eastman employes here, and more than 50 children of Warner employes who came over recently and will be cared for by Warner employes' families in America.

Fine Joining Lynch

NEW HAVEN, Oct. 3.—Hy Fine, resigning Oct. 8 as New Haven and Boston district manager for M. & P. Theatres, will be tendered a farewell dinner Monday night at the Parker House, Boston. He has been appointed general manager of the Lynch Paramount Circuit, Miami.

MOTION PICTURE DAILY
(*Registered U. S. Patent Office*)
Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.


SPATCH FROM REUTER'S...DISPATCH FROM REUTER'S
CH FROM REUTER'S...DISPATCH FROM REUTER'S...DI
REUTER'S...DISPATCH FROM REUTER'S...DISPATCH
SPATCH FROM REUTER'S...DISPATCH FROM REUTER'S..
TCH FROM REUTER'S...DISPATCH FR
AS DRAMATIC AS A NEWS FLASH!
EDW. G. ROBINSON IN "A DISPATCH
FROM REUTER'S" . . . RIGHT AFTER
'ROCKNE' FROM WARNERS!
with
EDNA BEST • EDDIE ALBERT
Albert Basserman • Gene Lockhart
Otto Kruger • Nigel Bruce
Montagu Love • James Stephenson
Directed by WM. DIETERLE
Music by Max Steiner • Screen Play by
Milton Krims • From a Story by Valentine
Williams and Wolfgang Wilhelm
TCH FROM REUTE

Legion Hurts Boston; 'Town' Pulls $31,000

BOSTON, Oct. 3.—Influx of several hundred thousand visitors for the American Legion national convention here Sept. 22-26 drove regular Boston film-goers out of the downtown area. Business, as a result, hit a phenomenal low, with many houses off 40 per cent. "Boom Town," in its second week at advanced prices, led with $19,500 at Loew's Orpheum and $11,500 at Loew's State for a total of $31,000.

Estimated takings for the week ending Sept. 25:

"Dance, Girl, Dance" (RKO)
KEITH BOSTON—(3,200) (25c-35c-40c-55c) 7 days, Jack Teagarden band, "Shoot the Works" revue on stage. Gross: $7,500. (Average, $8,000)
"Hired Wife" (Univ.)
"Men Against the Sky" (RKO)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $13,500. (Average, $16,000)
"Brigham Young—Frontiersman" (20th-Fox)
"One Crowded Night" (RKO)
METROPOLITAN—(4,367) (25c-35c-40c-55c) 7 days. Gross: $10,000. (Average, $15,500)
"Sea Hawk" (W. B.)
"Charlie Chan at the Wax Museum" (20th-Fox)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $5,500. (Average, $7,500)
"Sea Hawk" (W. B.)
"Charlie Chan at the Wax Museum" (20th-Fox)
FENWAY—(1,320) (25c-35c-40c-55c) 7 days. Gross: $3,000. (Average, $4,500)
"South of Pago Pago" (U. A.)
"Public Deb., No. 1" (20th-Fox)
SCOLLAY—(2,500) (25c-35c-40c-55c) 7 days. Gross: $2,500. (Average, $4,000)
"Boom Town" (M-G-M)
"The Lady in Question" (M-G-M)
LOEW'S STATE—(3,000) (35c-44c-55c-65c) 7 days, 2nd week. Gross: $11,500. (Average, $12,000)
"Boom Town" (M-G-M)
"The Lady in Question" (M-G-M)
LOEW'S ORPHEUM—(2,900) (35c-44c-55c-65c) 7 days, 2nd week. Gross: $19,500. (Average, $17,500)

Kansas City Gives 'Howards' $10,000

KANSAS CITY, Oct. 3.—In only a fair week, Loew's Midland rang up $10,000 with "The Howards of Virginia" and "Out West with the Peppers." The weather was fine.

Estimated takings for the week ending Sept. 24-26:

"The Great Profile" (20th-Fox)
ESQUIRE—(800) (28c-44c) 6 days. Gross: $2,000. (Average, 6 days, $1,800)
"The Howards of Virginia" (Col.)
"Out West with the Peppers" (Col.)
MIDLAND—(4,000) (28c-44c) 7 days. Gross: $10,000. (Average, $9,500)
"The Sea Hawk" (W. B.)
NEWMAN—(1,900) (28c-44c) 7 days, 2nd week. Gross: $4,000. (Average, $7,000)
"Dance, Girl, Dance" (RKO)
"Tom Brown's School Days" (RKO)
ORPHEUM—(1,500) (28c-44c) 7 days. Gross: $5,400. (Average, $5,000)
"Sing, Dance, Plenty Hot" (Rep.)
TOWER—(2,200) (30c) 7 days. Stage: The Harmonica Revelers, Moriarty & Dell, Diane Moore. Gross: $6,300. (Average, $6,000)
"The Great Profile" (20th-Fox)
UPTOWN—(2,000) (28c-44c) 6 days. Gross: $2,800. (Average, 6 days, $2,700)

Allen Red Cross Aide

C. W. Allen, RKO Omaha branch manager, has been named district coordinator of the Red Cross Theatres Campaign in his territory, completing the list of district coordinators. Major L. E. Thompson, general chairman, made the appointment.

Hollywood Reviews

"Down Argentine Way"

(Twentieth Century-Fox)

HOLLYWOOD, Oct. 3.—This color musical is plentifully supplied with ingredients calculated to take an audience's mind off what is happening in Europe. It is tuneful and entertaining.

The Darrell Ware-Karl Tunberg screenplay, from a story by Rian James and Ralph Spence, treats of horses and those who love them, primarily of a boy and a girl, respectively South and North American, who find themselves in love despite objections on the part of the boy's father to the girl's family, based on an old and fancied slight involving another woman. Treated, also, is the conversion of father's favorite horse, a jumper, into a flat racer.

The cast includes Don Ameche, Betty Grable, Carmen Miranda, Charlotte Greenwood, J. Carrol Naish, Henry Stephenson, Katherine Aldridge, Leonid Kinsky and Chris-Pin Martin. Dance specialties are contributed by the Nicholas Brothers, their routine literally "stopping the show" on preview night, and Thomas and Catherine Dowling. Song specialities are by the Six Hits and a Miss ensemble and by the Carmen Miranda Band.

Miss Miranda sings four songs, including "The South American Way," and another four were written for the film by Mack Gordon and Harry Warren.

Harry Joe Brown was associate producer on the Darryl Zanuck side of the studio, and Irving Cummings directed.

Running time, 87 minutes. "G."* W. S.

"The Quarterback"

(Paramount)

HOLLYWOOD, Oct. 3.—The right team wins the football game in the last few seconds of play, which is what the cash customers expect, but the whereases and wherefores are different than the usual ones and a considerable amount of deviating from campus custom has been done in the interests of comedy before the script gets down to this point. There is also a considerable amount of fisticuffs put by after the game is over, clearing the way to the clinch ending without which no college football picture is complete.

Wayne Morris, playing a twin-brother role, one side of which has him a modest fellow addicted to classes, the other a rounder who does the footballing for the family, is doubly active in the original screenplay by Robert Pirosh. Edgar Kennedy, Alan Mowbray and Frank Burke carry the comedy, Virginia Dale and Lillian Cornell the romantic side, Jerome Cowan, as night club owner and gambler, the menace. H. Bruce Humberstone directed for Producer Anthony Veiller.

The picture differs from most football films in a number of respects. It takes its football less seriously and it cuts in a dream sequence, funny in itself, while the big game is going on. A preview audience drawn from the campus of U.C.L.A. found it entertaining.

Running time, 69 minutes. "G."* ROSCOE WILLIAMS

**"G" denotes general classification.*

Indianapolis Gives 'Young' Good $7,200

INDIANAPOLIS, Oct. 3. — A stage show featuring George Jessel, Rochelle Hudson, Jean Parker, Isabel Jewell, Steffi Duna and Lya Lys brought the Lyric $12,300 in a week of generally good business. The picture was "Leather Pushers." At the Indiana, "Brigham Young—Frontiersman" took $7,200 on a double bill.

Estimated takings for the week ending Sept. 26-27:

"Captain Caution" (U. A.)
APOLLO—(1,100) (20c-30c) 5 days. Gross: $2,200. (Average, 7 days, $3,000)
"Sea Raiders" (Para.)
"Rangers of Fortune" (Para.)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $5,800. (Average, $16,000)
"Brigham Young—Frontiersman" (20th-Fox)
"Charlie Chan at the Wax Museum" (20th-Fox)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $7,200. (Average, $5,500)
"The Westerner" (U. A.)
"Blondie Has Servant Trouble" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $8.000. (Average, $7,000)
"Leather Pushers" (Univ.)
LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: "Hollywood Stars on Parade," with George Jessel, Rochelle Hudson, Jean Parker, Isabel Jewell, Steffi Duna, Lys Lys. Gross: $12,300. (Average, $8,000)

'Deb,' Kaye Band $16,700 in Buffalo

BUFFALO, Oct. 3.—"Public Deb. No. 1," with Sammy Kaye's orchestra and a revue on the stage at the Buffalo drew $16,700. "Ladies Must Live" and Will Osborne's orchestra on the Twentieth Century stage brought $13,800.

Estimated takings for the week ending Sept. 28:

"Public Deb No. 1" (20th-Fox)
BUFFALO—(3,489) (35c-40c-60c) 7 days. Sammy Kaye and his orchestra on stage, with Tommy Ryan, Charlie Wilson, The Three Kadets, Jimmy Brown, The Three Nonchalants, The Dancing Debs and Criss-Cross. Gross: $16,700. (Average, $12,000)
"The Sea Hawk" (W. B.)
GREAT LAKES—(3,000) (35c-55c) 7 days. Gross: $11,500. (Average, $7,500)
"Dr. Kildare Goes Home" (M-G-M)
"Comin' Round the Mountain" (Para.)
HIPPODROME—(2,100) (30c-40c) 7 days. Gross: $5,300. (Average, $6,800)
"Ladies Must Live" (W. B.)
TWENTIETH CENTURY—(3,000) (30c-35c-44c) 7 days. Will Osborne and his orchestra on stage, with Dick Rogers, The Emerald Sisters and Masters & Rollins. Gross: $13,800. (Average at 30c-40c, $7,500)
"The Howards of Virginia" (Col.)
"Out West with the Peppers" (Col.)
LAFAYETTE—(3,000) (30c-40c) 7 days. Gross: $8.900. (Average, $6,300)

'Conquest' Is Philadelphia High, $19,800

PHILADELPHIA, Oct. 3. — Grosses were affected by unseasonably warm weather and a week-long Bi-Centennial celebration at the University of Pennsylvania, but "City for Conquest" gave the Fox a strong $19,800.

Estimated takings for the week ending Sept. 25-27:

"Haunted Honeymoon" (M-G-M)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days. Gross: $8,200. (Average, $9,000)
"Lucky Partners" (RKO)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $3,700. (Average, $2,600)
"Brigham Young—Frontiersman" (20th-Fox)
BOYD — (2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $12,400. (Average, $13,000)
"Boom Town" (M-G-M)
EARLE—(4,000) (46c-57c-73c) 6 days, 4th week. Gross: $11,700. (Average, $14,000)
"The Girl from Avenue A" (20th-Fox)
FAY'S — (2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Dorothy Henry, Louise Stewart, The 3 Sailors, Henry King & Arlina, Lester & Martin, Dorn Bros. & Mary. Gross: $7,400. (Average, $6,900)
"City for Conquest" (W. B.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $19 800. (Average, $13,000)
"Private Affairs" (Univ.)
KARLTON — (1,000) (35c-41c-46c-57c-68c) 7 days. Gross: $3,300. (Average, $3,000)
"No Time for Comedy" (W. B.)
KEITH'S — (2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $5,700. (Average, $4,500)
"The Howards of Virginia" (Col.)
STANLEY — (3,700) (35c-41c-57c-68c) 7 days, 2nd week. Gross: $10,100. (Average, $14,000)
"Wyoming" (Col.)
STANTON—(1,700) (35c-46c-57c) 5 days, 2nd week. Gross: $5,300. (Average, $4,500)

'Howard' Scores $11,700, Cincinnati

CINCINNATI, Oct. 3.—Despite extreme heat, with thermometer readings in the upper 90's, "No Time for Comedy" drew $6,800 in the second week at the RKO Grand, and "The Howards of Virginia" did $11,700 at the RKO Albee.

Estimated takings for the week ending Sept. 25-28:

"The Howards of Virginia" (Col.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $11,700. (Average, $12,000)
"City for Conquest" (W. B.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $9,000. (Average, $10,000)
"Argentine Nights" (Univ.)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days. Gross: $3,400. (Average, $5,000)
"Elsa Maxwell's Public Deb. No. 1" (20th-Fox)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days. Gross: $3,200. (Average, $5,500)
"No Time for Comedy" (Col.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days, 2nd week. Gross: $6,800.
"Lost Horizon" (Col.)
"The Awful Truth" (Col.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days. Gross: $3,200. (Average, $4,500)
"Laughing at Danger" (Mono.)
"Charlie Chan at the Wax Museum" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,200. (Average, $1,200)
"The Secret Seven" (Col.)
"One Crowded Night" (RKO)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $700. (Average, $800)
"Flowing Gold" (W. B.)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $4,600. (Average, $5,000)

Fisher to Home Office

TORONTO, Oct. 3. — Frank Fisher, Ontario branch manager of Empire-Universal Films, Ltd., for the past three years, has been appointed to a home office post with the company here. Harry Paynter, formerly with Warners, has been named branch manager in Fisher's place.

RE-SOLD TO MILLIONS...This is the full page, full color ad in The Saturday Evening Post.

One Thousand and One Sights From the Thousand and One Nights!

The winged arrow of the Thief of Bagdad flies to its mark! Jaffar, Prince of Evil, galloping his magic horse through the clouds high above the jewelled towers of Bagdad, topples from his golden saddle...falls! An amazing moment in the most amazing motion picture ever filmed . . . with all the wonders of the Arabian Nights in spectacular magic Technicolor!

SO BIG—THAT IT HAS TO BE ROAD-SHOWED AT $2.20 TOP

Alexander Korda presents

THE THIEF OF BAGDAD

in Magic Technicolor!

CONRAD VEIDT · SABU · JUNE DUPREZ · JOHN JUSTIN · REX INGRAM · MARY MORRIS

Released thru United Artists



omance! Spectacle!



Adventure! Thrills!



THRILL to the masked magician who turns a prince to a beggar . . . a boy into a barking dog!



THRILL to the all-seeing eye! . . . Guarded by fierce "Green Men"...the 1,000-tentacled octopus!



THRILL to the mountainous Genie! Towering into the clouds...yet at the mercy of a mere boy!



THRILL to the wondrous web! Abu fights the monstrous Spider King!


Road map to exciting adventure
in the most spectacularly beautiful
picture ever filmed
ALEXANDER KORDA presents
The THIEF of BAGDAD
IN TECHNICOLOR
with SABU · CONRAD VEIDT · JUNE DUPREZ · JOHN JUSTIN
Released thru United Artists
The city of Go
The flying carpet
The Djinni of the b
The mysterious Princess
The escape from prison


The fabulous flying horse
Escape from the magic valley
The Prince and the Princess
Captured by bandits
The wicked magician
The magic army arises
Transformed to a dog

a miracle campaign of pre-selling...

millions reading about it...millions waiting for it...



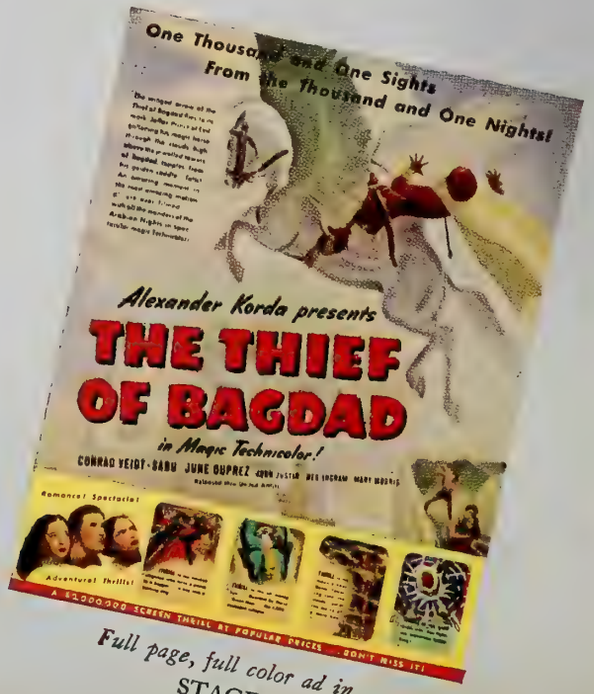
Full page, full color ad in
WOMAN'S HOME COMPANION



Full page, full color ad in
LIFE



Full page, full color ad in
LOOK *and* SCHOLASTIC



Full page, full color ad in
STAGE

'Young' Gets Good $6,500, Seattle Best

SEATTLE, Oct. 3. — "Brigham Young—Frontiersman" at the Paramount took $6,500 in a dull week. "The Sea Hawk" drew $5,500 at the Palomar in a second week. The weather was cool and cloudy.

Estimated takings for the week ending Sept. 27:

"The Ramparts We Watch" (RKO)
BLUE MOUSE—(950) (25c-40c) 7 days, 2nd week. Gross: $3,100. (Average, $4,000)
"Boom Town" (M-G-M)
FIFTH AVENUE—(2,500) (35c-50c-65c) 7 days, 3rd week. Gross: $6,600. (Average, 7,000)
"Earthbound" (Col.)
"Girls of the Road" (Col.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days. Gross: $3,900. (Average, $5,000)
"Wyoming" (M-G-M)
"Dr. Kildare Goes Home" (M-G-M)
MUSIC BOX—(950) (30c-40c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $4,000)
"Rangers of Fortune" (Para.)
"I Want a Divorce" (Para.)
ORPHEUM—(2,450) (30c-40c-50c) 5 days, 2nd week. Gross: $3,900. (Average, $6,000)
"The Sea Hawk" (W. B.)
PALOMAR—(1,500) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $5,500. (Average, $5,000)
"Brigham Young—Frontiersman" (20th-Fox)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. Gross: $6,500. (Average, $6,000)

3 Stooges, 'Seven' $10,600, Milwaukee

MILWAUKEE, Oct. 3.—"The Three Stooges" on the stage and "The Secret Seven" on the screen took $10,600 at the Riverside. "Brigham Young—Frontiersman" and "Public Deb. No. 1" at Fox's Wisconsin drew $9,600.

Estimated takings for the week ending Sept. 26-27:

"He Stayed for Breakfast" (Col.)
"Blondie Has Servant Trouble" (Col.)
PALACE—(2,400) (30c-40c-55c), 6 days. Gross: $4,000. (Average, $4,000)
"The Secret Seven" (Col.)
RIVERSIDE—(2,700) (28c-44c) 7 days. Stage: The Three Stooges. Gross: $10,600. (Average, $6,500)
"No Time for Comedy" (W.B.)
"The Ramparts We Watch" (RKO)
WARNER—(2,400) (30c-40c-55c), 7 days. Gross: $8,000 (Average, $4,500)
"Boom Town" (M-G-M)
"The Golden Fleecing" (M-G-M)
STRAND—(1,400) (44c-65c), 7 days. Gross: $3,800. (Average, $1,500)
"Brigham Young—Frontiersman" (20th-Fox)
"Public Deb. No. 1" (20th-Fox)
WISCONSIN—(3,200) (30c-40c-55c), 7 days. Gross: $9,600. (Average, $5,500)

'Hawk' Is Montreal Winner at $10,800

MONTREAL, Oct. 3. — "The Sea Hawk" grossed $10,800 at Loew's, while "No Time for Comedy" brought $7,800 to the Palace.

Estimated takings for the week ending Sept. 27:

"They Drive by Night" (W. B.)
"Calling All Husbands" (W. B.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days, 2nd week. Gross: $6,200. (Average, $8,000)
"The Sea Hawk" (W. B.)
LOEW'S—(2,800) (30c-40c-60c) 7 days. Gross: $10,800. (Average, $8,000)
"Captain Caution" (U. A.)
"Sing, Dance, Plenty Hot" (Rep.)
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $4,000. (Average, $5,000)
"No Time for Comedy" (W. B.)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $7,800. (Average, $9,000)
"Young People" (20th-Fox)
"Charlie Chan in Panama" (20th-Fox)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $4,000. (Average, $4,500)

Five Firms Approve Signing U.S. Decree

(Continued from page 1)

conferences here on Tuesday and Wednesday was completed by attorneys yesterday. James Hayes, Robert Sher and Robert Wright, Assistant Attorneys-General, left for Washington yesterday with copies of the final draft.

If, as expected, the decree is approved by both sides on Tuesday, copies will be made public then and will be sent to exhibitor representatives for their study in advance of the Federal court hearing on Oct. 14.

United Artists and Columbia are awaiting the final draft before making a decision on opposing the decree in court as "injurious" to their interests. Both are considering taking such action on the ground that the escape clause of the decree may affect them adversely.

'Rockne' Dinner Held On Eve of Premiere

(Continued from page 1)

Dame University dining hall after an enthusiastic greeting by a cheering multitude.

The banquet proceedings were broadcast over 148 Mutual network stations, with special lines speeding the broadcast to 45 Notre Dame alumni dinners throughout the country. Franklin D. Roosevelt, Jr., read a letter sent by the President to Mrs. Knute Rockne. Pat O'Brien and others were introduced to four thousand guests.

The city is jammed with visitors for the celebration. Mayor J. I. Pavey greeted the Warner special train from Chicago and Bob Hope then introduced the stars and celebrities. The Eastern delegation, headed by Mort Blumenstock, and the Western group, headed by S. Charles Einfeld, were given a lusty ovation on their arrival in Chicago this morning.

'Correspondent' at $14,500 in St. Louis

ST. LOUIS, Oct. 3.—"Foreign Correspondent" at Loew's State paced the city with $14,500 in a week that saw considerable competition for the theatres in the form of charity enterprises.

Estimated takings for the week ending Sept. 26:

"Foreign Correspondent" (U. A.)
"Golden Fleecing" (M-G-M)
LOEW'S STATE — (3,162) (28c-39c-44c-56c) 7 days. Gross: $14,500. (Average, $13,000)
"The Howards of Virginia" (Col.)
AMBASSADOR — (3,018) (35c-50c-75c) 7 days. Gross: $8,000. (Average, 28c-39c-44c-56c scale, $11,500)
"Hired Wife" (Univ.)
"The Great McGinty" (Para.)
FOX — (5,038) (28c-39c-44c-56c) 7 days. Gross: $10,000. (Average, $11,000)
"He Stayed for Breakfast" (Col.)
"Blondie Has Servant Trouble" (Col.)
MISSOURI — (3,514) (28c-39c-44c-56c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)
"Three Faces West" (Rep.)
"Stranger on the Third Floor" (RKO)
ST. LOUIS — (4,000) (25c-35c) 7 days. Gross: $1,900. (Average. $2,600)

'Argentine' in Butte

"Down Argentine Way" is scheduled to open Oct. 9 at the Rialto, Butte, and Fox theatres in Billings, Mont.

Film on Kansan

Hollywood, Oct. 3.—M-G-M today announced it will make a film on the life of William Allen White, famed publisher of Emporia, Kan. This will be a high budget picture with Spencer Tracy playing the title role. William Rankin is back from Emporia where he spent several weeks with the publisher on background.

Atlas Corp. Adds To RKO Holdings

(Continued from page 1)

company's registered securities, 594,318 shares of common direct and 268,230 shares through the American Company, 327,812 warrants for common and 32,081 shares of preferred.

The company, it was shown, also transferred 928 shares of common to Radio Corporation of America as a creditor, and RCA held at the close of the month 317,256 shares of common, 555,254 warrants for common and 44,757 shares of preferred.

Other transactions disclosed in the summary included the acquisition of 38 shares of Loew's Boston Theatres common stock by Loews, Inc., bringing its holdings to 117,474 shares; acquisition of 350 Universal Corporation common voting trust certificates by J. Cheever Cowdin, New York director, giving him a total of 4,850 held direct and 26,500 through Standard Capital Company, and acquisition of 330 certificates by Charles D. Prutzman, New York officer, giving him a total of 4,730.

A corrected report on Universal Pictures showed the acquisition of 100 shares of common stock by Samuel I. Posen, New York director, in June, representing his entire holdings.

A report on Columbia Broadcasting showed that Herbert Bayard Swope, New York, director, disposed of 3,680 shares of Class A common stock and his Keewaydin Corporation acquired 3,380 shares, so that at the close of the month he held 1,100 shares direct and 6,380 through the holding company.

'Dance,' Lombardo $15,000, Cleveland

CLEVELAND, Oct. 3.—"Dance, Girl, Dance" and Guy Lombardo's orchestra drew $15,000 at RKO Palace. "Boom Town" grossed $14,000 in its second week at the State.

Estimated takings for the week ending Sept. 26:

"Sea Hawk" (W.B.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 3rd week. Gross: $3,500. (Average, $4,000)
"He Stayed for Breakfast" (Col.)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $9,000. (Average. $11,000)
"Pastor Hall" (U.A.)
LAKE—(900) (28c-40c) 7 days. Gross: $3,000. (Average, $1,500)
"Dance, Girl, Dance" (RKO)
RKO PALACE—(3,100) (33c-47c-55c) Guy Lombardo on stage. 7 days. Gross: $15,000. (Average, $13,500)
"Boom Town" (M-G-M)
LOEW'S STATE—(3,500) (33c-47c-55c) 8 days, 2nd week. Gross: $14,000. (33c-39c-47c average. $11,000)
"Dr. Kildare Goes Home" (M-G-M)
LOEW'S STILLMAN — (1,900) (33c-39c-47c) 7 days. Gross: $6,000. (Average, $4,000)

Jed Buell Is Signed

HOLLYWOOD, Oct. 3.—Jed Buell has been signed by Producers Releasing Corp. as a producer.

'Howards' at $11,500, Best Frisco Gross

SAN FRANCISCO, Oct. 3.—Business held fairly steady as the Fair approached its final week, with "Howards of Virginia" getting a good $11,500 at the Orpheum. "Boom Town" drew $12,800 in a fourth week at the Warfield.

Estimated takings for the week ending Sept. 25-27:

"Men Against the Sky" (RKO)
GOLDEN GATE—(2,850) (40c-50c-55c) 7 days. Stage: vaudeville. Gross: $12,900. (Average, $15,000)
"Rangers of Fortune" (Para.)
"Money and the Woman" (W. B.)
FOX — (5,000) (15c-35c-40c-50c) 7 days. Gross: $14,500. (Average, $16,000)
"Howards of Virginia" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days. Gross: $11,500. (Average, $8,000)
"Yesterday's Heroes" (20th-Fox)
"The Great Profile" (20th-Fox)
PARAMOUNT — (2,740) (15c-35c-40c-50c) 7 days. Gross: $10,000. (Average, $11,500)
"Foreign Correspondent" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. 2nd week. Gross: $8,500. (Average, $8,000)
"Wyoming" (M-G-M)
"Dr. Kildare Goes Home" (M-G-M)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $5,000. (Average, $6,000)
"Boom Town" (M-G-M)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days, 4th week. Gross: $12,800. (Average, $12,000)
"Queen of Destiny" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $1,700. (Average, $1,000)

'Cargo' at $18,000 Scores in Detroit

DETROIT, Oct. 3.—"Strange Cargo," barred from Detroit some months ago, was approved after changes and grossed $18,000 at the Michigan with "Dr. Kildare Goes Home."

Estimated takings for the week ending Sept. 26:

"Brigham Young—Frontiersman" (20th-Fox)
"Five Little Peppers in Trouble" (Col.)
ADAMS—(1,600) (15c-50c) 7 days. Gross: $5,000. (Average, $5,000)
"Pride and Prejudice" (M-G-M)
"Gold Rush Maisie" (M-G-M)
FISHER—(2,700) (15c-50c) 7 days. Gross: $6,500. (Average, $7,000)
"The Howards of Virginia" (Col.)
"Pier 13" (20th-Fox)
FOX—(5,000) (15c-55c-65c) 7 days. Gross: $15,000. (Average, $15,000)
"Strange Cargo" (M-G-M)
"Dr. Kildare Goes Home" (M-G-M)
MICHIGAN—(4,000) (15c-55c-65c) 7 days. Gross: $18,000. (Average, $12,000)
"The Sea Hawk" (W. B.)
"Ladies Must Live" (W. B.)
PALMS — (2,000) (25c-39c-55c) 7 days. Gross: $9,000. (Average, $7,000)
"Boom Town" (M-G-M)
UNITED ARTISTS—(2,000) (20c-50c-75c) 7 days, 5th week. Gross: $6,500. (Average, $6,500)

'Young' at $7,900 Highest in Omaha

OMAHA, Oct. 3.—"Brigham Young—Frontiersman" pulled $7,900 at the Orpheum in a fair week. Clear, cool weather helped.

Estimated takings for the week ending Sept. 25-26:

"Howards of Virginia" (Col.)
"Wildcat Bus" (RKO)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $4,300. (Average, $4,000)
"Wyoming" (M-G-M)
"Golden Fleecing" (M-G-M)
OHAMA—(2,000) (30c-44c) 7 days. Gross: $6,800. (Average, $6,000)
"Brigham Young—Frontiersman" (20th-Fox)
"You're Not So Tough" (Univ.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $7,900. (Average, $7,200)

OUTGROSSING THE BIGGEST OF BIG SHOWS IN SCORES OF SITUATIONS!

AMAZINGLY topping the records set by the greatest attractions of the past 5 years in big cities and small towns throughout Arkansas, Missouri and adjacent localities...Thirty prints working overtime in the Memphis Exchange territory alone, with the picture's reputation spreading nation-wide like wildfire!

No matter where or what your theatre or circuit . . . THIS SHOW'S SENSATIONAL PERFORMANCE MAKES IT NO. 1 FOR YOUR IMMEDIATE ATTENTION!



LUM AND ABNER

IN

Dreaming Out Loud

WITH

FRANCES LANGFORD • FRANK CRAVEN

BOBS WATSON • PHIL HARRIS

A VOCO PRODUCTION · PRODUCED BY JACK VOTION & SAM COSLOW

DIRECTED BY HAROLD YOUNG · Screen Play by Howard J. Green, Barry Trivers and Robert D. Andrews

RKO RADIO PICTURES

MOTION PICTURE DAILY'S BOOKING CHART

ates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After itles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Sept. 6	Fugitive From a Prison Camp (D) *Jack Holt Marion Marsh*	Dr. Kildare Goes Home(D) 101 *Lew Ayres L. Barrymore*	Up in the Air (D) 3914 *Frankie Darro*	Rhythm on the River (M) 4001 *Bing Crosby Mary Martin*	Ride, Tenderfoot, Ride (O) 043 *Gene Autry Smiley Burnett*	Men Against the Sky (D) 101 *Richard Dix*	Chan at Wax Museum (D) 110 *Sidney Toler*		Argentine Nights (M) 50-13 *Ritz Brothers Andrew Sisters*	Calling All Husbands (C) *George Tobias Ernest Truex*
Sept. 13	Before I Hang (D) *Boris Karloff Evelyn Keyes*	Wyoming (D) 102 *Wallace Beery Leo Carrillo*	The Ape (D) 4001 *Boris Karloff*		Girl from Havana (D) 017 *O'Keefe-Carleton*	Dreaming Out Loud (C) 102 Wagon Train (O) 181	Elsa Maxwell's Public Deb. No. 1 (C) 105	The Great Dictator (C) *Charles Chaplin*	Hired Wife (C) 50-06 Leather Pushers (D) 50-51	No Time for Comedy (C) *Stewart-Russell-Ruggles*
Sept. 20	Howards of Virginia (D) *Cary Grant Martha Scott*	Haunted Honeymoon (D) 104 *R. Montgomery*		I Want A Divorce (D) 4002 *Joan Blondell Dick Powell*	Colorado (O) 051 *Rogers-Hayes*	I'm Still Alive (D) 103 *Kent Taylor Linda Hayes*	Yesterday's Heroes (D) 116 *Sterling-Rogers*	The Westerner (O) *Gary Cooper Walter Brennan*	Mummy's Hand (D) Ragtime Cowboy Joe (O) The Fugitive (D)	City for Conquest (D) *James Cagney Ann Sheridan*
Sept. 27	Angels Over Broadway (D) *D. Fairbanks, Jr.* Glamour for Sale (D)	Strike Up The Band (M) 103 Sky Murder (D) 105	That Gang of Mine (D) *Gorcey-Jordon*	Rangers of Fortune (O) 4003 *MacMurray P. Morrison*	Under Texas Skies (O) 062 *3 Mesquiteers*	Triple Justice (O) 086	Brigham Young (D) 107 *Tyrone Power Linda Darnell*	Thief of Bagdad (D) *Conrad Veidt Sabu*	Spring Parade (M) *Deanna Durbin Robert Cummings*	
Oct. 4	So You Won't Talk (C) *Joe E. Brown F. Robinson*	Dulcy (C) 106 *Ann Sothern Ian Hunter*	Drums of the Desert (D) *Ralph Byrd*	The Quarterback (C) 4004 *Wayne Morris Virginia Dale*	Frontier Vengeance (O) 072 *Don "Red" Barry*	The Villain Still Pursued Her (C) 105 *Herbert-Louise*	Gay Caballero 108 *Cesar Romero Robert Sterling*		Diamond Frontier (D) *McLaglen-Nagel*	Knute Rockne-All American (D) *O'Brien-Page*
Oct. 11		Third Finger Left Hand (C) *Myrna Loy Melvyn Douglas*	Old Swimmin' Hole (D) 4010 *Moran-Jones*	Cherokee Strip (O) 4005 *Richard Dix Florence Rice*	Melody and Moonlight (M) 005 *Johnny Downs*	Too Many Girls (M) 106 *Ball-Carlson*	Down Argentine Way (M) 113 *Don Ameche Betty Grable*		A Little Bit of Heaven (M) *Gloria Jean Robert Stack*	Father Is a Prince (C) *Grant Mitchell Nana Bryant*
Oct. 18	Nobody's Children (D) *Edith Fellows Billy Lee*	Escape (D) 108 *Norma Shearer Robert Taylor*	You're Out of Luck (D) *Frankie Darro*	Moon Over Burma (D) 4006 *Dorothy Lamour*	Hit Parade of 1941 (M) 001 *Kenny Baker Frances Langford*	Laddie (O) 107 *Tim Holt V. Gilmore*	Night Train (D) 114 *M. Lockwood Rex Harrison*		Slightly Tempted (C) 50-24 *Hugh Herbert*	Dispatch from Reuters (D) *Ed. G. Robinson Edna Best*
Oct. 25	West of Abilene (O) Girls Under 21 (D)	Hullabaloo (C) 109 *Frank Morgan Billie Burke*	Parson of Devil's Gap (O) Sign of the Wolf (D)	Christmas in July (C) 4007 *Dick Powell Ellen Drew*	Young Bill Hickok (O) 052 *Roy Rogers*	You'll Find Out (M) 108 *Kay Kyser and Orchestra*	The Great Profile (C) 111 *John Barrymore*		Seven Sinners (D) *Marlene Dietrich John Wayne*	Tugboat Annie Sails Again (D) *M. Rambeau Alan Hale*
Nov. 1	Blondie Plays Cupid (C) *Penny Singleton Arthur Lake*	Little Nellie Kelly (M) *Judy Garland George Murphy*		Dancing on a Dime (C) *Grace McDonald Robert Paige*	Who Killed Aunt Maggie (D) *John Hubbard Wendy Barrie*	Li'l Abner (C) 109			I'm Nobody's Sweetheart (D) Island of Black Gold (D) 50-52	Lady With Red Hair (D) *Miriam Hopkins Richard Ainley*
Nov. 8		Bitter Sweet (M) *J. MacDonald Nelson Eddy*	Six Shooting Serenade (O) *Ray Corrigan John King*	Arise My Love (D) *Claudette Colbert Ray Milland*	Friendly Neighbors (M) *Weaver Bros. and Elviry*	Little Men (D) *Kay Francis Jack Oakie*	Mark of Zorro (D) 117 *Tyrone Power Linda Darnell*	Son of Monte Cristo (D) *Joan Bennett Louis Hayward*	Fireman Save My Child (C) *Baby Sandy Stuart Erwin*	Always a Bride (C) *Rosemary Lane*
Nov. 15	Beyond the Sacramento (O) Lone Wolf Keeps a Date (D)	Fighting Sons (D) *Jackie Cooper Bonita Granville*		Three Men from Texas (O) *William Boyd Russell Hayden*	Trail Blazers (O) *3 Mesquiteers* Meet the Missus (C)	Remedy for Riches (D) *Jean Hersholt*	Street of Memories (D) 102 *Lynne Roberts*		Caribbean Holiday (M) *Nancy Kelly Alan Jones*	South of Suez (D) *George Brent Brenda Marshall*
Nov. 22	Passage West (D) *Pat O'Brien C. Bennett*	Comrade X *Clark Gable Hedy Lamarr*		North West Mounted Police (D) *Gary Cooper*			Hudson's Bay (D) 115 *Paul Muni Virginia Field*	Long Voyage Home (D) *John Wayne Thomas Mitchell*	Meet the Wildcat (D) *Ralph Ballamy Margaret Lindsay*	The Letter (D) *Bette Davis Herbert Marshall*

Do Your Shorts Fit Your Program?

PARAMOUNT SHORTS

are Tailor-made for the Box Office!



September 20
Popeye the Sailor
'POPEYE MEETS WILLIAM TELL'



September 27
(Color)
'UNUSUAL OCCUPATIONS No. 1'



Sept. 27
Stone Age Cartoon
'WAY BACK WHEN WOMEN HAD THEIR WEIGH'



October 4
Grantland Rice Sportlight
'THE SPORTING EVERGLADES'

100%
BOX OFFICE TESTED

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 69 NEW YORK, U. S. A., MONDAY, OCTOBER 7, 1940 TEN CENTS

FILE COPY DO NOT REMOVE

Royal in New Post as NBC Planning Head

Sidney Strotz Reported As His Successor

John Royal has decided to remain with NBC. He has accepted a post which was offered to him in which he will be vice-president in executive charge of plans having to do with new activities and developments as they relate to promotional, programming and commercial problems.

Sidney N. Strotz, vice-president in charge of the central division in Chicago, will succeed Royal as vice-president in charge of programs in the near future, it is reported.

Royal's post is a new one, created especially for him, in which, officials said, his talents and experience would be especially useful.

Niles Trammell, president of NBC, who made the announcement over the weekend, said the post is a promotion for Royal.

The new position was created for Royal "to assure such advance planning and coordination in new radio broadcasting services as will facilitate their commercial introduction or development," NBC said. "The new activity will combine under one direction

(*Continued on page 13*)

New Tax in England Is Effective Today

LONDON, Oct. 6.—The new tax scale and revised admission prices for film theatres throughout England will go into effect tomorrow. However, the variation in trade conditions in the different parts of the country have prevented the adoption of a uniform national policy on admissions. Only certain areas are following the lead of the circuits in establishing a nine-penny minimum price on first run theatres.

The increases differ considerably. Birmingham is following the circuit lead and the northwestern Liverpool area has set a minimum of four-pence on subsequent run houses. Some districts will operate on the basis of a one-penny increase on all admissions, while others are trying a tentative scale, subject to adjustment later.

Despite the estimated 30 per cent increase in the overhead for all exhibitors in the country, the average admission increase is estimated at less than 20 per cent over the country as a whole.

Schaefer Denies Willkie Short Release Withheld

George J. Schaefer, RKO president, on Friday denied charges of Clarence Budington Kelland, assistant in charge of publicity of the Eastern division of the Republican National Committee, and Samuel Pryor, Jr., Eastern campaign director, that pressure by the Democratic National Committee had caused RKO to withhold release of the second "Information Please" subject in which Wendell Willkie appears.

Schaefer said: "We are in the business of selling entertainment and see no reason why we should advocate the case of any candidate, whether it be Mr. Roosevelt or Mr. Willkie. There is no question of freedom of the press involved, as our business cannot be compared to the press or radio. The screens of America belong to the theatre owners, and to do anything to advocate the interests of any candidate would be beyond the premise of any film producer.

"The screens of America cannot be used for propaganda or political purposes. Our newsreels give a 50-50 break to each candidate, and beyond that we do not intend to go. We have one Willkie subject in release. This was made and completed and scheduled for release before the nomination of Mr. Willkie. Under normal releasing circumstances the second film would be scheduled for release in November or December. Any acceleration of release of the second subject might be construed as political propaganda."

8-Months Building Totals $14,528,000

Theatre building in the 37 states East of the Rocky Mountains for the first eight months of this year totaled 528 projects, accounting for contracts valued at $14,528,000, according to Dodge Reports.

Total floor area of these projects, including new construction and major alterations, was 1,905,000 square feet.

In the same period in 1939 there were 547 projects under construction or alteration at a work and material cost of $16,280,000. They included 1,950,000 square feet. In the first eight months of 1938 the contract total was $15,302,000.

New Film Treatment Needed, Says Small

HOLLYWOOD, Oct. 6.—The regeneration of American interest in films as entertainment through new ideas in stories and new treatment, in order to make up for the loss of foreign markets, was suggested by Edward Small, producer, following his return from New York conferences with United Artists executives.

He said in part: "Audiences today are sophisticated and want their film fare treated in a sophisticated way. They demand new ideas treated with new and novel production embellishments. Naturally such pictures will cost more but will regenerate interest."

"Knute Rockne—All American"

[Warners]

ON this occasion the Warners turn in their series of biographical studies from science to sports, but sports in the larger sense of their value to a nation and culture, and have created a fine, impressive motion picture.

Knute Rockne, for many years football coach at Notre Dame University, was a man respected and admired thoughout the nation for a generation, and revered after death by those who knew him. He has become almost a legend in American sporting annals.

This film is the story of Rockne's life. The drama and comedy of the college football field, the locker room and the classroom are but back-

(*Continued on page 5*)

OTHER REVIEWS: "Angels Over Broadway"—page 5; "Mexican Spitfire Out West," "Frontier Vengeance," "Drums of the Desert," "My Irish Molly"—page 8.

Big 5 Chiefs To Meet With U.S. Tomorrow

Company Heads to Sign Decree in Capital

Heads of the five consenting companies will meet with their attorneys at the Bar Association Building today to clear all phases of the proposed Federal consent decree preparatory to tomorrow's meeting with Department of Justice officials in Washington, at which time the decree is scheduled to be formally accepted and signed by both sides.

As reported earlier in MOTION PICTURE DAILY, J. Stephen Doyle, Assistant Attorney General, will request a postponement to next Monday of the hearing on the decree scheduled for today before Federal Judge Henry W. Goddard.

There is some likelihood that the decree may not be presented to the court at the adjourned hearing next Monday and that only a report of progress will be made at that time.

This is due to the possibility that new differences may arise at the Washington hearing tomorrow, requiring additions to the draft or rephrasing of some sections. Moreover, it is the intent of the Department of

(*Continued on page 5*)

N. Y. MPTO to Hold 3 State Meetings

BUFFALO, Oct. 6.—Three state-wide luncheon meetings have been scheduled for this week by the M.P.T.O. State of New York, Western Zone. The first will be tomorrow at the Variety Club in Buffalo; the second Tuesday at the Hotel Syracuse, Syracuse, and the third Wednesday at the Hotel Ten Eyck, Albany.

Purpose of the meeting is to incorporate the organization under the memberships corporation law of New York, the election of directors and the transfer of all assets to the new corporation.

Ed Kuykendall, M.P.T.O.A. president, will address the meetings on the proposed consent decree and its effects on the industry generally and exhibitors in particular. A. Charles Hayman is president of the organization and Marian Gueth secretary.

Personal Mention

LOUIS B. MAYER and HOWARD STRICKLING left for the Coast over the weekend after a two-week visit in New York.

•

ANDREW W. SMITH, RKO general sales manager, has returned from Detroit.

•

LEO SPITZ left for Chicago yesterday. He will be gone several days.

•

H. M. RICHEY, assistant to WILLIAM F. RODGERS, M-G-M general sales manager, will address women's clubs in Detroit and Jackson, Mich., this week.

•

J. J. O'LEARY, general manager of the Comerford Circuit, was here on Friday.

•

LOU BROCK, RKO producer, has returned to Hollywood from home office conferences.

•

DOROTHY SHEWBRIDGE, secretary to SAM BENDHEIM, JR., general manager of the Neighborhood Theatres, Inc., Richmond, will be married to ALTON SMITH on Friday.

•

HARRY WESSEL, operator of the Film Service Co., Cincinnati, has become a great grandfather through the birth of a daughter to MRS. DAVID BESUDEN, his granddaughter.

•

MURIEL STEVENSON, secretary to A. FRANK O'BRIEN, city manager of Wilmer & Vincent in Richmond, has gone to Florida for a month to recuperate from an operation.

•

LOIS M. BRYDGES of the staff of the Roseland, New Glasgow, N. S., was married recently to RODERICK B. MACDONALD.

•

ARTHUR B. HOLMES, chief electrician for the Wilmer & Vincent circuit in Richmond for the past 25 years, has resigned.

•

ELEANOR POWELL left for the Coast yesterday.

Goodman Will Play At Lodge Banquet

Benny Goodman and his orchestra will provide the music for the banquet and ball of the Cinema Lodge, B'nai B'rith, at the Hotel Pennsylvania Oct. 26, it was announced over the weekend by Robert Weitman, entertainment chairman. Frances Langford, Jon Hall, Martha Raye, Woody Herman, Glen Miller and Tommy Reynolds are some of the entertainers who will appear.

Join Roosevelt Campaign

HOLLYWOOD, Oct. 6.—Walter Wanger today joined the advisory committee and Myron Selznick was appointed finance committee head of the Hollywood for Roosevelt campaign headed by Pat O'Brien.

Theatre Reduces Price

ROCHESTER, Oct. 6.—The Cameo, neighborhood house here, has cut prices to a straight 20 cents, thus eliminating the Federal tax.

Texas Consolidated To Build 3 Houses

Dallas, Oct. 6.—Texas Consolidated Theatres, an affiliate of the Interstate Circuit, owned by Karl Hoblitzelle and R. J. O'Donnell, yesterday authorized the construction of three theatres. One of 800 seats will be at Brownwood, where the 36th Division, Texas National Guard, will train. The others, both of 400 seats, will be at Corsicana and Paris. Interstate already operates in the three Texas cities. Construction will start in 30 days, with openings planned in January.

G. W. Dell Dead; Early Operator in Buffalo

BUFFALO, Oct. 6.—Funeral services were held late last week at Kenmore, a suburb, for George W. Dell, 65, one of the first projectionists in this city, who died Thursday at Millard Fillmore Hospital after several weeks' illness.

He had been with the Little Hippodrome on Lower Main Street since 1906. Dell, Arthur P. Miller, Fred C. Taylor and Dewitt L. Martin opened the house, one of the first in Buffalo.

Dell is survived by a sister, Mrs. Lottie Schraeder. He was a veteran member of operators' Local 233 here.

Receiver Sought For Settos Circuit

INDIANAPOLIS, Oct. 6.—Dissolution of the partnership and appointment of a receiver is asked in a suit filed in Superior Court here by George Settos against his partners in the Settos circuit, William Rosenthal and Frank M. Krapp of La Jolla, Calif.

Disagreement concerning the operation of the theatres was listed as a major reason for desire to dissolve the partnership. The three men own varying shares of several theatres in Indiana and three houses in Shelbyville and St. Matthews, Ky.

Conn. Allied Hears Report Tomorrow

NEW HAVEN, Oct. 6.—Lawrence C. Caplan, Connecticut Allied executive secretary, and others who represented the organization at the recent New Jersey Allied convention and Eastern Allied regional conference at Atlantic City will report on that meeting at a membership luncheon session at the Hofbrau House here Tuesday. A. M. Schuman will preside.

Defense Unit Meets On Film, Air Setup

WASHINGTON, Oct. 6.—Members of the National Defense Advisory Commission worked over the weekend on the setup of its cultural organization, designed to coordinate efforts of motion pictures, radio and the press.

Nelson Rockefeller, appointed by President Roosevelt as coordinator of commercial and cultural relations between the American republics, explained that the commission hoped within a few days to get a "top man" to head the effort.

The group will act purely as a coordinating body and not in any way as a policy-making organization. Commission officials will advise and cooperate in any program involving films, broadcasting or the press which may be developed, Rockefeller said.

Reopening of RKO Allowance Up Today

Federal Judge William Bondy on Friday ordered a hearing for today on the application of George L. Schein to reopen an award of $8,000 made to him for services rendered in RKO reorganization proceedings, on the ground that the amount allotted was inadequate. Schein, who had represented the Schein protective stockholders committee, had requested $100,000. Judge Bondy also signed a formal order providing for the payment of $640,747 in allowances and 120,000 shares of stock.

Bank Sues Hammons For Unpaid Notes

The Federation Bank and Trust Co. on Friday filed suit in the N. Y. Supreme Court against Earle W. Hammons for $31,000 on alleged unpaid notes given to the bank in 1931. An answer filed by Hammons generally denies the complaint and contends that the bank violated an agreement to repurchase shares of stock from Hammons when he tendered stock to the bank.

RCA Will Make Up Salary to Draftees

All employes of RCA and subsidiaries serving in the U. S. armed forces will be paid the difference between what they earn in their last month of employment and their first month of service. The announcement was made on Friday by David Sarnoff, president, following a board of directors' meeting. The company also will continue in force for one year the group life insurance of employes called for service.

World Premieres

A THREE-DAY celebration will be held in conjunction with the opening of Paramount's "North West Mounted Police" at the Chicago Theatre in Chicago on Oct. 24. The premiere itself will be covered by a coast-to-coast air hookup from WHN, Chicago *Tribune* station.

A special foreign press screening of the film will be held Wednesday in the Canadian Pavilion at the World's Fair.

A group of Hollywood players and film editors from Western cities will attend the opening tomorrow night in San Francisco of RKO's "They Knew What They Wanted." Perry Lieber, studio publicity head, will accompany the Coast group. Terry Turner of the home office is handling the campaign in San Francisco.

The world premiere of Warner's "Tugboat Annie Sails Again" will be held Oct. 18 in three houses in Tacoma, Wash. Marjorie Rambeau and Alan Hale, the film's stars, will head a Hollywood contingent.

The world premiere of the 20th Century-Fox film, "The Mark of Zorro," will be held in Cincinnati, home town of Tyrone Power, star of the picture.

Premiere of Republic's "Who Killed Aunt Maggie?" which was scheduled at the Rialto, Atlanta, Oct. 17, has been set back to Oct. 24.

Was Torpedo Victim

Mimi Tucker, secretary to Monroe Greenthal at United Artists, has received word that her sister, en route from England to a haven in Java, and her husband, a Dutch citizen, were aboard a ship which was torpedoed and sunk. Miss Tucker's sister was drowned and her husband, a survivor, was brought to Scotland.

Aid 'Night of Stars'

Don Albert, music director of WHN, and Sidney Piermont of Loew's will be music director and stage manager, respectively, of the "Night of Stars" show at Madison Square Garden Nov. 27 for the United Jewish Appeal.

Old Chaplin Comedies at Museum

CHARLIE CHAPLIN comedies produced in 1914, '15 and '16 by Keystone, Essanay and Mutual will be exhibited at the Museum of Modern Art in the ninth of its exhibition series on the art of the motion picture. They will be shown Oct. 9, 10, 11, and 24, 25 and 26.

Other films on the month's schedule include: "It Happened One Night," Oct. 15; "Duck Soup" and "The Barber Shop," Oct. 16; "Sex Life of the Polyp" and "Blonde Crazy," Oct. 17; "The General," Oct. 18; "Wedding Bills" and "Big Business," Oct. 19; "The Strong Man" and "The Professional Patient," Oct. 20; "The Freshman" and "High and Dizzy," Oct. 21; "Grandma's Boy" and "Sherlock, Jr.," Oct. 7 and 22; "Doubling for Romeo" and "Gracious," Oct. 8 and 23; "His Majesty the American," Oct. 9 and 24; five Mack Sennett comedies, Oct. 10 and 25, and "Mickey" and "Stenographer Wanted," Oct. 11 and 26.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.



THE WORLD WILL SOON BE *LAUGHING* AGAIN!

WORLD PREMIERE TUESDAY EVE., OCTOBER 15 at the Astor and the Capitol Theatres, New York. All seats reserved at $2.20 Thereafter, all seats reserved at the Astor only at $2.20 top, while at the Capitol, continuous showing, from $1.10 to 75c.

Charlie Chaplin



THE *Great* DICTATOR

PRODUCED, WRITTEN AND DIRECTED BY CHARLES CHAPLIN

with PAULETTE GODDARD

JACK OAKIE · HENRY DANIELL · REGINALD GARDINER · BILLY GILBERT · MAURICE MOSCOVICH

Released thru UNITED ARTISTS

Women's Work

Milwaukee, Oct. 6.—A repercussion of conscription is felt in theatrical circles here with the announcement by Fox that it is replacing the masculine ushers in the Palace here with girls. It was said that nine ushers have left downtown Fox houses to join the service and that ushers remaining at the Palace will be shifted to vacancies in the staffs at the circuit's Strand and Wisconsin theatres.

'U' Director Sues To Restrain Merger

Samuel I. Posen, a director of Universal Pictures Co., will apply today in N. Y. Supreme Court for an order directing the examination of defendants in a suit he brought Friday against Universal Pictures, Standard Capital and others.

The suit seeks an accounting and an injunction to restrain a merger of Universal Pictures and Universal Corp.

Statement by Board

The following statement was issued by the Universal board of directors:

"The main basis of the complaint filed by Mr. Posen against Universal and its directors is the sale of an English distributing subsidiary and the making of certain employment contracts after the recent change in ownership of Universal.

"The subsequent history of Universal and its record of progress and achievement domestically, in England and throughout the world is a complete justification of the distribution and other policies pursued by the new owners and management and a complete answer to the baseless and unfounded charges of mismanagement.

"Universal and its directors are confident that they will thoroughly answer these charges in court when the case comes up for trial."

Charges Purchase Price Excessive

Posen, who owns 100 shares of Universal common stock and 50 shares of preferred, and is a representative of preferred stockholders on the board, charged that the $5,450,000 paid for acquisition of the late Carl Laemmle's controlling stock in Universal was "exorbitant" and attacked the propriety of employment contracts subsequently made with Charles R. Rogers, R. H. Cochrane and J. Cheever Cowdin.

Two other stockholders, Celia Brown, owning 90 shares of preferred, and Esther M. Tolmach, 190 shares of preferred, are co-complainants.

Defendants named in addition to those mentioned include: Western Electric, Erpi, Eastman Kodak, J. Arthur Rank, George N. Armsby, Lawrence W. Fox, Daniel Shaeffer, Preston Davie, Paul G. Brown, Willis H. Taylor, Ottavio Prochet, Samuel Spring, Willard S. McKay, Budd Rogers and Daniel C. Collins.

Talk K.C. Union Pact

KANSAS CITY, Oct. 6.—Operators still have not closed their contracts for the new season with local theatres. The union is asking for vacations with pay, and has run into opposition. The old contracts expired Aug. 31.

"Knute Rockne—All American"

[Warners]

(Continued from page 1)

ground to the cinematic biography of Rockne, and it a strong and moving story in every respect. To Pat O'Brien, in the title role, must go praise for perhaps the best performance of his career. He makes Rockne live on the screen. His makeup in many instances makes him appear incredibly like Rockne, and an occasional use of speech and physical mannerism almost brings the man to life.

The bestowal of praise must be as long as the credit list, from Jack L. Warner, in charge of production, and Hal B. Wallis, executive producer, through Robert Fellows, associate producer; Lloyd Bacon, director; Robert Buckner, who wrote the original screenplay, and the supporting cast. Gale Page is highly capable, in a restrained portrait of Mrs. Rockne; Donald Crisp is splendid as Father Callahan, president of Notre Dame, and Ronald Reagan as the famous Notre Dame player, George Gipp, and Albert Basserman as Father Nieuwland, Notre Dame scientist, are excellent.

The story, based on the private papers of Mrs. Rockne, and reports of Rockne's friends, begins with the arrival in Chicago of young Knute with his family from Norway. The boy learns to play and love football. Years pass, and Knute works in the local post office to earn enough to matriculate at Notre Dame. There he not only attains high scholastic standing, but, with his roommate, Gus Dorais, makes football history with the use of the forward pass. At graduation, Rockne chooses football coaching to science as a career. He marries Bonnie Skiles.

Pictured then is the history of Rockne's life work as a coach, and as a molder of men, the development of Gipp as Notre Dame's greatest star, and the latter's untimely death; the subsequent creation of the famed Four Horsemen, Rockne's illness necessitating coaching from a wheel chair, and his stirring defense of college football as an adjunct to education when it is under nationwide fire. His long-deferred vacation in Florida in 1931 is interrupted by a call to California. The plane crashes and Rockne is killed. The dignity and beauty of the funeral rites at Notre Dame are a highlight of the film.

The spirit of Americanism glows through the picture. It is entertainment of the finest kind.

Running time, 98 minutes. "G."* CHARLES A. AARONSON

*"G" denotes general classification.

Hollywood Review

"Angels Over Broadway"

(Columbia)

HOLLYWOOD, Oct. 6.—This, Ladies and Gentlemen of Show Business, is one of those rare pictures you'll be wanting to recommend not only to the customers but to friends, family and favored relatives. For this is a picture apart from the crowd, an intelligent employment of incisive dialogue, veracious setting, plausible circumstances, credible incident and brilliant acting in the telling of a strong story which springs from and is animated by impulses inherent in the characters participating. It is a film of ideas and force, suspense and power, conceived and executed solely for entertainment purposes and entertaining mightily.

Author, producer and director of the picture is Ben Hecht. This is about the finest specimen of screen writing in some years.

Scene of Hecht's realistic imaginings is New York. His characters are a weakling defaulter on suicide bent, a would-be scout for crooked gamblers, a down-at-heel dancer seeking a break on any terms she can wangle, a spent playwright vocal and inventive in his cups, assorted night-figures, gangsters, citizens. Kernel of the story is a scheme for plundering the defaulter which succeeds, contrary to plannings, in saving him, but the power of it is in characterization, plot development and, finally, a series of taut situations seldom paralleled for sustained tension.

Douglas Fairbanks, Jr., starred as the would-be crook and also on the credit sheet as associate producer, turns in a sterling portrayal of an unheroic hero. Thomas Mitchell's enactment of the dissolute playwright is an all-time high in his long sequence of sparkling performances. Rita Hayworth as the girl and John Qualen as the colorless defaulter measure up to Fairbanks and Mitchell. Others adding importantly to the whole are George Watts, Ralph Theodore, Eddie Foster, Jack Roper and Constance Worth. Lee Garmes co-directed and photographed the production.

Running time, 79 minutes. "G."* ROSCOE WILLIAMS

*"G" denotes general classification.

Big 5 Chiefs To Meet With U.S. Tomorrow

(Continued from page 1)

Justice to distribute the final draft to exhibitor representatives in time for them to study it and prepare their opposition before the decree is submitted to the court. Thus, if no complete agreement is reached tomorrow, exhibitors would have insufficient time to do this by next Monday.

Those expected to attend today's meeting include: Nicholas M. Schenck, J. Robert Rubin and John W. Davis, for Loew's; Harry M. Warner, Joseph Hazen and Joseph Proskauer, for Warners; George J. Schaefer, Colonel William J. Donovan and O. C. Doering, Jr., for RKO; Barney Balaban, Austin Keough and Thomas D. Thacher, for Paramount, and Richard Dwight and John Caskey for 20th Century-Fox. W. C. Michel, executive vice-president of the latter company, may represent Sidney R. Kent, president, who left for the Coast over the weekend.

The same group, or most of them, is expected to comprise the company delegation which will be in Washington tomorrow.

Connecticut M.P.T.O. Urges Federal Action

NEW HAVEN, Oct. 6.—Urging the Government to take the initiative in revising the proposed Federal consent decree along the lines advocated by exhibitors, the M.P.T.O. of Connecticut followed up its recent vote of opposition to the decree with a letter to Assistant Attorney General Thurman Arnold reviewing the reasons for that action.

"While exhibitors are not parties to the proceeding and do not even have *amicus curiae* standing," the letter states, "it would seem that if they are to be third party beneficiaries the consent decree finally adopted should be the most favorable for them and still accomplish the Government's aims, and not be too great a hardship on distributors."

The letter contends that the block-of-five provision "aggravates the problem of block booking" and will probably increase film rentals.

W.B. Players Hailed At Notre Dame Game

SOUTH BEND, Ind., Oct. 6.—Pat O'Brien, Gale Page, Ronald Reagan, Donald Crisp and Mrs. Knute Rockne were enthusiastically received at Notre Dame Stadium here Saturday between halves of the Notre Dame-College of the Pacific game. The ceremonies were broadcast over the Mutual network.

This was one of the final events of the week of festivities in conjunction with Warners' "Knute Rockne—All American," which was given a four-theatre premiere here Friday night, followed by a grand ball at the Palais Royale. The film will open this week in 400 theatres.

S. Charles Einfeld and Mort Blumenstock, who supervised the week's events, will head the Warner group returning to New York Monday morning.

AFTER 7-DAY CELEBRATION

'ROCKNE' IS





250,000 PEOPLE marched into South Bend, Indiana, trebling the university town's regular population of 101,000 for the celebration of Knute Rockne Week. Above is part of tremendous crowd that greeted the "South Bend Special" at the station for a reception that overshadowed any accorded the "Great Rock" following his most important gridiron victories.

WELCOME ROARED across the nation as every newspaper syndi in the country, columnists from north, east, south and west and three top radio networks told their millions of readers and liste of the Hollywood stars and national celebrities who came to par pate in the Knute Rockne week celebration.

WARNERS HIT SHOWMANSHIP PE
4-THEATRE PREMIERE REACHES E





MRS. BONNIE SKILES ROCKNE, who aided in the production of the film, hosted the stars in her South Bend home. Again left to right are Ronald Reagan, Mrs. Rockne, Elmer Layden, Pat O'Brien, Rosemary Lane, Gale Page, Anita Louise.

POSTMASTER GENERAL FRANK C. WALKER payed tribute to the memory of Kn Rockne. In the conventional order are Pat O'Brien, who portrays Knute Rockne in film, Mrs. Rockne, Donald Crisp and the Postmaster General.

THAT ROCKS THE NATION

RELEASED!!



TE SMITH BROADCAST at the gala nquet that drew 4,000 people to the Notre me dining hall. The Mutual Broadcast- System relayed the reception to hun- ds of Notre Dame Alumni dinners.



FRANKLIN D. ROOSEVELT, JR. brought a message from the president of the United States to Mrs. Bonnie Skiles Rockne. (L. to R.) Gale Page, Rev. Hugh O'Donnell, C. S. C., and F. D. R., Jr.



MAYOR JESSE I. PAVEY, of South Bend, met the train and its celebrities. Left to right are Ronald Reagan, Rosemary Lane, His Honor the Mayor, Gale Page, Mrs. Pat O'Brien and Pat O'Brien.

K AS NEWS OF SOUTH BEND
RY CORNER OF THE LAND



GNALS ON as the stars make appearances at the film's four- ater world premiere. Standing: Peggy Diggins, Irene Rich, Gail trick, Anita Louise, Mrs. Rockne, Gale Page, Rosemary Lane, ne Wyman. (Crouching) Charles Ruggles, Ricardo Cortez, Owen vis, Jr., Bob Hope, Jimmie Fidler, Donald Crisp, Pat O'Brien, Rudy llee, Ronald Reagan, Frankiln D. Roosevelt, Jr.



Showmanship Flashes . . .

Resemblance Contest For 'Great Profile'

BALTIMORE, Oct. 6.—Men and women whose features compare favorably with those of John Barrymore have been invited to compete for a bronze plaque of the actor. The promotion was in connection with the showing of "The Great Profile" at the New Theatre here. The plaque is the work of Louis Rosenthal, well-known sculptor of Baltimore.

Has Defense Group Sponsor "Ramparts"

Asheville, N. C., Oct. 6.—For the run of "The Ramparts We Watch," the Imperial Theatre has had the engagement sponsored by the local Committee for the Defense of America by Helping British. Booths were set up in department stores and specially printed tickets were sold. A special theatre front was built for the engagement.

Metro Inaugurates New Exploitation Service

M-G-M has inaugurated a new exploitation service, called the Honor Roll Campaign, in the form of a new cooperative service sheet which will contain details of outstanding exhibitor campaigns on M-G-M releases. Showmen whose campaigns are used will be awarded Honor Roll buttons, and any winning the recognition six times within a six-month period will receive plaques. First recipient will be Charles Taylor, publicity and advertising director of Shea's Great Lakes Theatre, Buffalo, for his campaign on "Boom Town."

Special Appeals Are Used on 'Correspondent'

SAN FRANCISCO, Oct. 6.—In a departure from its usual ad campaigns, the United Artists Theatre supplemented its drama page ads with special appeals in different parts of the *Chronicle* and *Daily News*. Initial response has more than justified the slight additional expense, according to Charles Schlaifer, advertising manager. In the first test a straight one-column, eight-inch ad, telling why readers should see "Foreign Correspondent," appeared on Page 2 of the *Chronicle* and on the editorial page of the *Daily News*. More than 30 unsolicited letters praising the idea were received the next day.

U. S. Housing Authority Cooperates on "Christian"

The United States Housing Authority is cooperating with RKO in the publicizing of "The Courageous Dr. Christian," in which bad housing is part of the theme. Letters have been sent by officials of the authority in Washington to all local agents, asking their cooperation with theatre managers in the selling of the film. Leon J. Bamberger, sales promotion manager for RKO, made the tieup at Washington.

Gregory to Springer

Francis F. Gregory has resigned as general manager of AudiVision, Inc., to join Springer Pictures, Inc., of Detroit and New York, in a production capacity.

Feature Reviews

"Mexican Spitfire Out West"

(RKO)

HOLLYWOOD, Oct. 6.—Another in the series of pictures featuring Lupe Velez and Leon Errol, "Mexican Spitfire Out West" is a most hilarious film, dealing in the fundamentals of screen comedy to glean the maximum number of laughs from its material. Miss Velez is her usual fiery self, Errol again plays the dual role of a British millionaire and a hen pecked American, and Donald Woods, Elisabeth Risdon, Cecil Kellaway, Linda Hayes and Charles Coleman, other regulars of the series, are also seen.

The screenplay by Charles E. Roberts and Jack Townley, from Roberts' story, places accent on slapstick and farce, with director Leslie Goodwins letting the character have full sway. Cliff Reid produced under executive producer Lee Marcus.

Miss Velez, as the wife of Woods, an advertising man, goes to Reno to get a divorce. Meanwhile, Woods' important client comes to America to sign a new deal. Torn between his wife's actions and the efforts of a rival agency to get the Briton's account, Woods enlists the aid of his uncle, who impersonates the Briton. Confusion reigns until the final fadeout, and the preview audience almost had hysterics.

Running time, 76 minutes. "G."* VANCE KING

"Frontier Vengeance"

(Republic)

"Frontier Vengeance" is the story of two rival stagecoach lines in the West, one of which unlawfully tries to put the other, honestly operated, out of the running. Acts of sabotage committed against the latter eventually prove futile and the lawbreakers are exposed and apprehended.

With competent direction and camera work, the various chases, fights and, in particular a race at the end, yield a maximum of suspense and excitement. The film is good Western entertainment.

Don "Red" Barry performs smoothly in the top role while an adequate supporting cast is composed of Betty Moran, George Offerman, Jr., Ivan Miller, Kenneth MacDonald and others.

Nate Watt directed while Reggie Lanning handled the camera. Bennett Cohen and Barry Shipman adapted Cohen's original story. George Sherman was associate producer.

Running time, 57 minutes. "G."*

"Drums of the Desert"

(Monogram)

HOLLYWOOD, Oct. 6.—Topical melodrama, romance and humor are the ingredients in this story of parachute troops in the African desert, fighting tribesmen for the Foreign Legion.

Ralph Byrd is seen as lieutenant of the newly formed parachute corps, who falls in love with Lorna Gray, fiancee of his best friend in the Legion. The situation works itself out with the death of the friend, portrayed by Boyd Irwin.

Manton Moreland is the source of the humor, and gives a stand-out performance as the sergeant of the parachute group. The Paul Malvern production was directed by George Waggner from a Dorothy Reid-Joseph West screenplay based on a story by John T. Neville. Peter George Lynn, William Castello, Jean Del-Val and Ann Codee round out the cast.

Running time, 63 minutes. "G."* W. S.

"My Irish Molly"

(Monogram)

The basic theme of "My Irish Molly" is in the effort of an Irish family to bring into its custody a little girl, who, upon her father's death, is brought to live with a mean aunt. The child, Binkie Stuart, and Tom Burke, an Irish tenor, sing a number of Irish favorites as the story is told. Among these are "Londonderry Air," "Come Back to Erin" and "Ireland, Mother Ireland."

Billed as an "Irish-American comedy-drama," the film is best suited for theatres which might cater to audiences most interested in this type of film.

Maureen O'Hara has the principal feminine lead, providing the romantic element with Phillip Reed. The latter is seen as an American writer. John F. Argyle produced the film in Ireland.

Running time, 67 minutes. "G."*

**"G" denotes general classification.*

Reopen Miami Theatre

MIAMI, Oct. 6.—The Mayfair, which has been closed for the Summer, has reopened.

Open California House

PERRIS, Cal., Oct. 6.—I. H. McDowell and Tom Sharpe have opened the Perris Theatre here.

Short Subject Reviews

"Power and the Land"

(RKO)

This film is being distributed by RKO without charge, on behalf of the Rural Electrification Administration of the U. S. Department of Agriculture. It depicts a day in the life of an Ohio farm family before and after electric power was available to it.

The four-reel subject was directed by Joris Ivens; commentary was written by Stephen Vincent Benet, and narrated by William P. Adams. It was photographed effectively by Floyd Crosby and Arthur Ornitz. Because of the necessarily prosaic material—and the nature of the subject, the labor-saving and conveniences to the farmer of electricity—the film has little interest to audiences outside of rural districts and agrarian centers in which electric power for the farm is still unavailable. To these, however, it depicts not only the advantages of having rural power but also the way to obtain it. Considering these as its objectives, it serves its purpose in a laudably professional and pictorial manner. Running time, 36 mins.

"March of Time, No. 2"

(RKO)

With interest centered on the daily London air raids, March of Time has produced a reel dealing with the aerial arm of Britain's fighting forces. "Britain's R.A.F.," as the short is called, reveals how each department of the air force functions.

Schools in Canada to train new pilots, shipments of planes from the United States, the observation planes, the fighters, convoys and bombing ships are all shown. The subject starts challengingly with some shots of an actual raid with land observation posts noting the position of the raiders, the defending planes going up to meet them and the dog fights in the air. Running time, 18 mins.

Sues Union Officials

ST. LOUIS, Oct. 6.—Darwood Shelton, former operator at the Overland, has filed suit in the Circuit Court for $5,794 from Robert Tomsen, business agent of the Motion Picture Operators' Union, Local 143, and Frank B. Gralike, assistant business agent of the International Brotherhood of Electrical Workers, claiming loss of his job because of the defendants.

Republic-Interstate Deal

DALLAS, Oct. 6.—The Interstate Circuit has closed for the 1940-41 product of Republic Pictures. The circuit was represented by R. J. O'Donnell, general manager, in the deal. Signing for the film company were James R. Grainger, president; William Underwood and Claude Ezell, Texas franchise holders, and Lloyd Rust, Dallas branch manager.

22 Censor Cuts in Ohio

COLUMBUS, Oct. 6.—Ohio censors ordered 22 eliminations from a total of 511 reels reviewed in September, compared with 28 eliminations from 549 reels reviewed in August. During September, 1939, a total of 508 reels was reviewed, and 25 eliminations ordered.



EVERYBODY CHEER!

Here comes the big parade of stage and screen talent and beauty, in . . . . . .



GEORGE ABBOTT'S MUSICAL

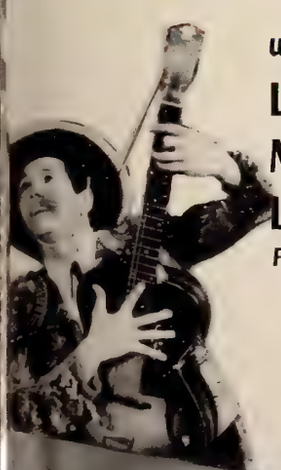


COMEDY STAGE SENSATION!

Romance set to the liveliest music and dancing that's graced the screen in YEARS! . . . Breathless specialty numbers . . . Heart-lifting story . . . Buoyant youth . . . Sparkling glamour...Joyous laughter...Definitely the type of big show the box-office wants most TODAY!



NY GIRLS



with a Hollywood and original play cast, including

LUCILLE BALL • RICHARD CARLSON • ANN MILLER • EDDIE BRACKEN • FRANCES LANGFORD • DESI ARNAZ • HAL LEROY

Produced and Directed by GEORGE ABBOTT

RKO RADIO PICTURES

8 RODGERS AND HART HIT SONGS IN EVERY MOOD AND RHYTHM!
"I Didn't Know What Time It Was"
"Heroes in the Fall" • "Look Out"
"Spic and Spanish" • "You're Nearer"
"Pottawatomie" • "Love Never Went To College" • "Cause We Got Cake"

HARRY E. EDINGTON, *Executive Producer*
Screen Play by John Twist



ANNA NEAGLE FACES CAMERAS FOR "NO, NO, NANETTE" MUSICAL

Anna Neagle, in Herbert Wilcox's production of that record long-run musical hit, "No, No Nanette,"—another big one soon to take its place along with RKO Radio shows like Carole Lombard and Charles Laughton in "They Knew What They Wanted"—Ginger Rogers in "Kitty Foyle"—Kay Kyser in "You'll Find Out" and Orson Welles in "Citizen Kane."

F.C.C. Authorizes Power Increases

WASHINGTON, Oct. 6.—An increase in power from 10,000 to 50,000 watts has been granted Station KYW, Philadelphia, by the Federal Communications Commission.

Other permits granted by the commission authorized Stations WPAR, Parkersburg, W. Va., to increase power from 100 to 250 watts; KMED, Medford, Ore., to increase night power from 250 to 1,000 watts; WDSU, New Orleans, to increase power from 1,000 to 5,000 watts; WNEW, New York, to increase night power from 1,000 to 5,000 watts; WKST, New Castle, Pa., to extend time from day to unlimited; WBRC, Birmingham, Ala., to increase night power from 1,000 to 5,000 watts; WDBJ, Roanoke, Va., to increase night power from 1,000 to 5,000 watts, and WSBT, South Bend, Ind., to change frequency from 1,360 to 930 kilocycles.

An application for authority to construct a new 1,370-kilocycle, 250-watt station at Clarksville, Tenn., was filed by William D. and Violet Hutton Hudson, and a construction permit for a new high frequency broadcast station at Los Angeles, to operate on 44,900 kilocycles to cover 1,370 square miles with a population of 2,253,392, was asked by Earle C. Anthony, Inc. An application also was received from Station KRLH, Midland, Tex., for change of frequency from 1,420 to 1,200 kilocycles and increase of power from 100 to 250 watts.

F.M. Service Areas Are Set by FCC

WASHINGTON, Oct. 6.—The Federal Communications Commission has adopted the trade areas defined by the Census Bureau as the service areas of frequency modulation stations.

Clarifying its requirements as to the areas to be served the Commission announced that the 35 high frequency channels will continue to be divided into three groups, one of which will be reserved for use in the 625 basic trade areas into which the country has been divided, while a smaller group will be used in "limited" trade areas of cities not listed as the principal cities of basic trade areas. The third group of frequencies will be assigned to stations primarily serving large rural areas which cannot be covered by stations in the trade areas.

Plan FM Transmitter

ALBANY, Oct. 6.—Capital Broadcasting Co., Inc., Schenectady, has purchased land in New Scotland, N. Y., for a transmitter to establish frequency modulation broadcasting. James E. Cushing, Leonard L. A. Asch and Harold E. Blodgett of Schenectady are stockholders, Asch proposing to purchase 250 shares of stock at $50 each. Cost is intended to be $22,150 with monthly operating costs $4,955 and revenue $5,527 a month.

WMJM in Operation

CORDELE, Ga., Oct. 6.—Station WMJM has gone on the air, serving Crisp County and South Georgia. Station manager is P. L. Padgett.

Off the Antenna

WJZ last week returned to its normal, pre-war operating schedule and is closing down at 1 A.M. instead of 2. WEAF decided to shut down at 1 A.M. several weeks ago because of tests for the new transmitter and WJZ has decided to follow suit. WOR, which increased its operating time from 1:35 A.M. to 2 at the time of the Munich crisis, still continues its 2 A.M. closing. WABC officials stated that the station's closing time was extended to 2 A.M. about a year and a half ago for reasons unconnected with war news and that the 2 o'clock closing would continue.

• • •

Purely Personal: *Mary York, heard over WNEW Wednesdays at 8:45 P.M., disclosed last week that she is Mrs. Raymond Paige in private life. . . . Alphonse Pappas, WTRY, Troy, announcer, was married last week to Helen Hicks. . . . William H. Tompkins, WOKO, Albany, newscaster, has announced his engagement to Frances E. Seymour. . . . Lanny Ross celebrates his first anniversary on "Memory Lane" Wednesday. . . . Arch Oboler will arrive from Hollywood this week to direct Raymond Massey in "This Precious Freedom" over NBC-Red Friday at 9:30 P.M. . . . T. F. Hall, with General Electric at Bridgeport, has been named field specialist in television with headquarters in Los Angeles. . . . Guy C. Hickok, director of NBC's international division, left over the weekend via Clipper for a month's business and pleasure trip to South American cities.*

• • •

WOR has had a sudden upturn in sponsors who sell razors. Gillette Safety Razor for the World Series, Schick for professional football, American Safety Razor for Wythe Williams and Marlin blades for Henry Morgan's participation show.

• • •

Program News: *WNYC has started a series of broadcasts on English, current events, vocational guidance and consumer education in cooperation with the Board of Education. The series is part of an adult education program planned for the station. . . . Harry H. Balkin, a character analyst, will fill the spot left vacant by Elliott Roosevelt over WMCA tonight at 8:15 P.M. . . . Rudy Vallee's Sealtest program will originate from Hollywood beginning Thursday, Oct. 17. . . . Conti Products has signed to sponsor "Great Masters," a recorded concert music program Mondays through Fridays at 5:30 P.M. over WQXR. Other new business for the station includes Packard cars, Flint & Horner, Vicks and Cecil & Presbrey. . . . The Planters Nut and Chocolate Co. is sponsoring a half-hour program, "What's on Your Mind" over nine stations of the Columbia Mountain and Pacific network, Friday, 7:15-7:45 P.M. . . . "Silver Theatre," sponsored by International Silver Co., returned to CBS yesterday for its third year, at 6-6:30 P.M. Sundays, replacing "Fun in Print," the Summer show.*

• • •

Eddie Cantor will celebrate his 10th anniversary on the air Wednesday night on the Bristol-Myers Co. program at 9 P.M. over NBC.

• • •

WLW, Cincinnati, in conjunction with the Cincinnati College of Music, is offering 10 scholarships in radio training which will be awarded on the basis of the applicant's training and auditions. The scholarships, each valued at $100, will provide free tuition for three or four radio courses in production, acting, announcing and sound effects engineering.

Christie President Of Seattle Film Club

SEATTLE, Oct. 6.—Frank Christie, head booker of Hamrick-Evergreen Theatres, has been elected president of the Northwest Film Club for the 1940-41 season. Leroy V. Johnson of Jensen-VonHerberg Theatres is first vice-president and Herndon Edmond of 20th Century-Fox is second vice-president. Ed Lamb of RKO was re-elected secretary-treasurer.

New directors for a two-year term are Neal Walton, Peter Higgins and Edward Miller. The one-year term director will be Junior Mercy. Holdover trustees are Keith Beckwith and Ben Shearer. Joe Cooper remains as club manager.

Fair Shows on Tour

SAN FRANCISCO, Oct. 6.—With the Golden Gate International Exposition having closed after a far more successful year than the first, two of the island's attractions have gone on tour, with two others considering similar moves. The "Folies Bergere" has opened at the Golden Gate Theatre and Salici's Puppets at the Alcazar. Billy Rose's "Aquacade" and the "American Cavalcade" both may open in Los Angeles, if deals can be negotiated.

Dover Film Houses Open, Says Menken

Although Dover has been undergoing a terrific battering by the Germans, film theatres are operating and the other commercial life of the city is going on without much interruption, according to Arthur Menken, March of Time cameraman, who returned the other day from England. Menken went to Europe last year to cover the war in Finland for Paramount, but later freelanced, also serving as CBS commentator and United Press correspondent.

Club Show Oct. 12

BALTIMORE, Oct. 6.—The Variety Club here has planned the opening of its social season for Oct. 12. A dance and floor show will feature the program. Edwin A. Sherwood, district manager for Ascap, is chairman of a committee which includes Leon Back, Barry Goldman, Morris Oletsky and Eddie Perotka.

Buys Charlotte Theatre

CHARLOTTE, N. C., Oct. 6.—Thomas A. Little, who operates theatres in the Carolinas and Virginia, has purchased the Charlotte Theatre here from Harry K. Lucas.

Royal in New Post as NBC Planning Head

(*Continued from page 1*)

necessary developmental work in programming and general public service in the fields of television, frequency modulation, facsimile and short wave."

In announcing the appointment, Trammell said: "Royal has been largely responsible for a 10-year development of NBC's program activities, with the creation of many of radio's outstanding public service features and a long list of commercial successes. He is, therefore, ideally fitted for the wider responsibilities which he will now undertake."

One of Royal's first projects will be to explore the possibilities of further development of television in its various aspects. NBC said that it is expediting the changeover of the television transmitter atop the Empire State Building to the new frequency assigned by the FCC.

"With international events and relations assuming even greater importance to our broadcasting activities," Trammell added, "Royal has already prepared for the extension of our efforts in this direction, having just returned from a tour of South America and a brief business trip to Europe."

Six New Companies Formed in New York

ALBANY, Oct. 6.—Six new film companies have been chartered here. They are: Gaela Enterprises, Inc., New York, by Louis and Helen Abelson and Milly Adellane; Bronson-Laudin Theatre Corp., Brooklyn, by Joseph R. and Alice Bronson and Jules Laudin; Reeltone Moving Picture Machine Co., New York, by Herman Keller, Gerald Laurence and Nathan Marcus; Omnia Amusement Corp., New York, by Emanuel Szenes, Ignatz Foldes and Hugo C. Racz; Court-Degraw Theatre, Inc., New York, by Charles Berlin, Harry P. Albert and Evelyn Golden, and B. H. Productions, Inc., New York, by B. L. Maarsen, Geraldine Weiss and Rose Lader.

A. A. Brandt Heads G. E. Radio Set Sales

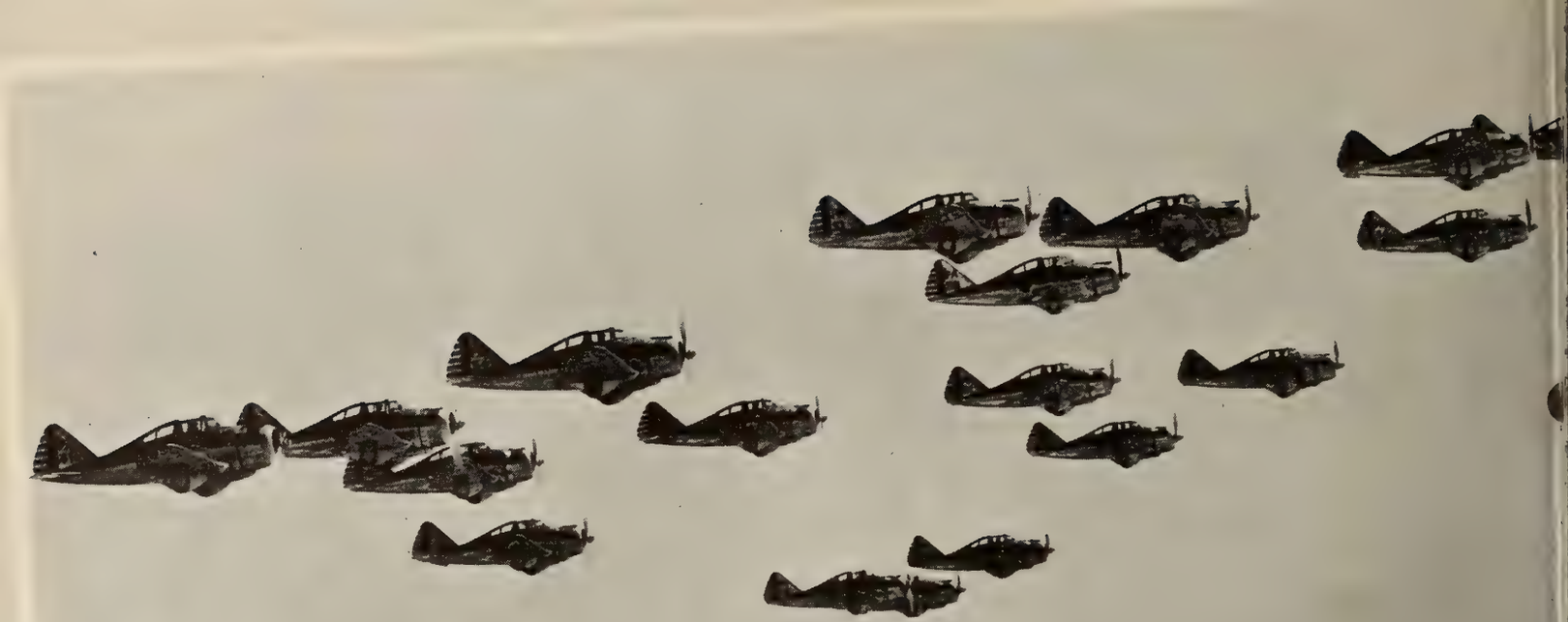
BRIDGEPORT, Oct. 6.—Arthur A. Brandt has been appointed general sales manager for General Electric radio and television receivers, with headquarters here. He was for three years in the advertising and promotion division of General Electric radio.

New St. Louis Burlesque

ST. LOUIS, Oct. 6.—The third burlesque house in St. Louis will be opened here Oct. 10 at the Shubert, for many years a leading playhouse for legitimate stage attractions and once a first run film house.

Blackstone Booked

ROCHESTER, N. Y., Oct. 6.—Blackstone, the Magician, will open an engagement at the Temple Theatre here Oct. 11 for three days. It will be the first stage show at the theatre in 12 years.



A Sound and Strong Defense in ADVERTISING Too!



- If any lesson is to be learned from the daily news head lines it is this: "*THE BEST DEFENSE IS A STRONG OFFENSE*
- That is not a new phrase, but it never was more signi ficant than it is today . . . in business as in governmen
- ★ *A SOUND ADVERTISING CAMPAIGN IS THE STRONGES POSSIBLE DEFENSE AGAINST BAD BUSINESS.*
- A sound advertising offensive is an advertising campaig so well-balanced...so well planned...so well co-ordinate that it reaches and sells all prospects...all classes.
- Such a theatre advertising campaign can be put on onl by use of the combination available to you on a rentc basis from the *3 BEST SELLERS IN THE BUSINESS* . .
- ★ Trailers . . . Lobby Displays and all the varied Standar Accessories sold by

NATIONAL SCREEN SERVICE
Advertising Accessories, Inc.
NATIONAL SCREEN ACCESSORIES

FREE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 70 NEW YORK, U. S. A., TUESDAY, OCTOBER 8, 1940 TEN CENTS

New Product Booms B'way Box-Offices

Jewish Holidays and Weather Help Grosses

With pleasant Fall weather coinciding with the Jewish holidays, Broadway grosses soared over the weekend. Figures for both the week and weekend were big, with new attractions strong.

The Roxy, with the new 35 cent admission prices for the "early bird" shows and 85 cents for weekend and holiday evenings for the first time, drew one of the biggest grosses of the year for the house. Opening on Thursday instead of Friday to take advantage of the holiday, "Spring Parade" with a stage show drew an estimated $51,500 for the first four days. It will be held over.

"I Want a Divorce" with Frankie Masters and his band on the stage at the Paramount grossed an estimated $17,000 for Saturday and Sunday and should take an estimated $38,000 for its first week which ends tonight.

(*Continued on page 7*)

Coast Flashes

Hollywood, Oct. 7

WILLIAM DIETERLE today announced formation of his own production company. He will produce two films for RKO this season. Charles W. Glett will be associate producer. Other officers are Robert J. McDonald, vice-president, and A. Ronald Button, secretary.

•

Sol C. Siegel in November will join Paramount as an associate producer, resigning a similar post at Republic.

•

Sidney R. Kent, president of 20th Century-Fox, arrived here today by train for conferences with Darryl F. Zanuck, vice-president in charge of production.

•

Tom Pettey, formerly Hollywood correspondent for *PM* and before that Hays office press director here, today joined the RKO publicity department.

Reviewed Today

"Too Many Girls"—Page 7; "Diamond Frontier," "Wagon Train," "The Open Road"—Page 8.

Drama Guild Pact Draft on Film Play Backing Finished

Preliminary draft of the proposed amendments to the basic Dramatists Guild pact to permit film companies backing plays to purchase film rights in advance of Broadway production was completed yesterday by James F. Reilly, executive secretary of the League of New York Theatres, and will reach Guild and film company officials this morning.

The draft incorporates the tentative agreement agreed upon two weeks ago at conferences among representatives of the Guild, film companies and Broadway managers.

The council of the Guild will meet Friday afternoon to consider the proposal. Although passage is expected, particularly in view of the fact that Elmer Rice, president, and Edward K. Carpenter have tentatively approved the deal, there is a large opposition group in the council which is expected to take the position that concessions will not result in increased production but will merely result in further demands.

'Voyage' Opening At Rivoli Tonight

Numerous notables are expected to attend the opening tonight at the Rivoli on Broadway of "The Long Voyage Home," Walter Wanger-U. A. film.

Among those expected are: Maurice Silverstone, Joan Bennett, Mr. and Mrs. Edwin L. Weisl, Loretta Young, Eddie Cantor, Joan Crawford, Walter Wanger, Mr. and Mrs. Gene Tunney, Mr. and Mrs. Orson D. Munn, Col. and Mrs. Julius Ochs Adler, Mrs. Ogden Reid, Roy Howard, John Abbott, Irving Berlin, Louis De Rochemont, Jules Brulatour, Hope Hampton, Adam Gimbel, Conde Nast, David Sarnoff, George Backer, Major Edward Bowes, Felix Warburg, Dudley Nichols, Herbert Bayard Swope.

CONGRESSMEN GET PLEAS ON DECREE

N. Y. Court Dampens Exhibitors' Hopes for Revision, Indicating Justice Department Is Acting for Entire Industry

Exhibitor leaders and individual theatre operators, it is reported, have appealed to their Congressmen and Senators to intervene on their behalf with the Department of Justice to have the proposed consent decree altered in some of its provisions.

Some Congressmen, it is reported, in turn have made inquiries already at the Department of Justice in this regard, thus indicating possible further study and action from this quarter.

Meanwhile, Federal Judge Henry W. Goddard yesterday dampened hopes of exhibitors for a revision of the decree by the court when he referred Jacob Schechter, attorney for Max A. Cohen, president of Allied of New York, an M.P.T.O.A. affiliate, to the Department of Justice for information concerning the final draft.



Max A. Cohen

The decree has not been finally drafted, but company chieftains and lawyers were to have left this morning for an afternoon conference in Washington with Department of Justice officials. Thurman W.

(*Continued on page 7*)

Arnold Sees 10-Year Trial Without Pact

BUFFALO, Oct. 7.—Speaking here today before the newly incorporated M.P.T.O. of the State of New York, Inc., Western Zone, Ed Kuykendall, M.P.T.O.A. president, said that Thurman W. Arnold, Assistant U. S. Attorney General, personally told him that if the industry does not accept the proposed consent decree, the resultant trial may "go on for 10 or 12 years."

At today's meeting the organization was incorporated under the New York membership corporation law. Directorships were increased from 12 to 24, and six regional vice-presidents will be appointed. Units will be established in Albany and Syracuse. A regional meeting will be held in Syracuse tomorrow.

Kuykendall said he is opposed in

(*Continued on page 7*)

'Dictator' Selling 4 Weeks in Advance

With the opening night performance of Charlie Chaplin's "The Great Dictator" next Tuesday evening entirely sold out at the Astor, tickets went on sale yesterday for the next four weeks, United Artists announced.

The demand for tickets from the start was reported so heavy that although the two box-offices at the theatre were scheduled to open at 10 A. M., the police asked the theatre to start selling tickets a half hour earlier to alleviate the jam.

New York newspapers are carrying advertisements on the opening of the film simultaneously at the Astor and Capitol. The ads carry the price scale for the reserved-seat engagement at the Astor and Capitol continuous run.

Only 18 of 19,511 Studio Employes Are Designated as "Refugees"

Hollywood, Oct. 7.—Y. Frank Freeman, president of the Association of Motion Picture Producers, over the weekend declared only 18 of the 19,511 persons regularly employed by eight studios in Hollywood are "refugees." The statement was made in a letter to Kenneth Thomson, executive secretary of the Screen Actors Guild, which organization at its annual meeting some time ago undertook a study of charges that aliens were supplanting American players.

In the survey, the term "refugee" had been defined for this purpose to mean persons who have come to the United States since Jan. 1, 1938, from any of the occupied countries, or from Germany or Italy.

Theatres Set Plans For Sunday Shows

In preparation for the expected approval of Sunday shows by Actors Equity in a referendum to be concluded Oct. 31, the League of New York Theatres will meet next Monday night to map promotion plans to apprise the public of the new setup. Sunday shows are expected to start Nov. 3, two days after the results are announced.

Michalove Starts for Australia This Week

Dan Michalove, assistant to Sidney R. Kent, 20th Century-Fox president, will leave for Los Angeles at the end of the week en route to Australia for his annual business and inspection trip in connection with the company's interests there.

Michalove will sail from Los Angeles Oct. 16. If the merger of Greater Union Theatres and Hoyt's circuit has not been consummated by the time of his arrival in Australia, part of his mission will be to expedite its closing. He will be away about four months.

Community Chest Will Honor Mayer

HOLLYWOOD, Oct. 7.—Louis B. Mayer, chairman of the industry community chest drive committee, will be given a dinner Wednesday night by industry figures who will discuss plans for the camgaign. The studios, unions and guilds will be represented.

MAINLINERS to

Los Angeles



NO CHANGE OF SLEEPERS

The Continental Lv. 7 pm

The Overland Flyer Lv. 10:40pm

Luxurious thru coast-to-coast Mainliners — at United's high, smoother flight levels.

Travel agents, hotels, or

UNITED AIR LINES

67 Wall St. or 58 E. 42nd St.

MU-2-7300

Personal Mention

JAMES ROOSEVELT is expected in New York Oct. 23 from Hollywood.

•

BUD SILVERMAN, Schine district manager in Rochester, and MRS. SILVERMAN are New York visitors.

•

HAROLD GROTTE, manager of the Met, Baltimore, and ANNETTA ISRAELSON were married recently.

•

DAVID CHERMAN of the Lawrence, New Haven; MRS. CHERMAN, and MRS. ROSE FISHMAN of Fishman Theatres, New Haven, are on a motor tour.

•

LOU WECHSLER, United Artists manager in New Haven, is aiding a twisted ankle with crutches.

•

SAMUEL COOPERSTEIN, assistant at the Warner, Bridgeport, was married recently to EDITH KAPLOWITZ of New Haven.

•

FRED SCHANBERGER, manager of Keith's, Baltimore, has been a visitor here.

•

CALVIN A. LIEBERMAN, manager of the Rajah, Reading, Pa., and MRS. LIEBERMAN have returned from their honeymoon trip.

•

MARK HELLINGER and MRS. HELLINGER are en route here from the Coast on the *Manhattan*.

•

JOHN GARFIELD arrived from Hollywood yesterday for a vacation.

•

ROSEMARY LANE is here from the Coast.

WILLIAM C. GEHRING, 20th Century-Fox central division sales manager, left last night on a one week business trip to Detroit and Chicago.

•

HOWARD DIETZ, JOSEPH BERNHARD, SAM SHAIN, LAURENCE BOLOGNINO, JOHN W. HICKS, RUSSELL HOLMAN, OWEN DAVIS, ED SAUNDERS, LEON NETTER, J. J. UNGER and LOUIS DREYFUS at Nick's Hunting Room in the Astor yesterday for lunch.

•

ARTHUR W. KELLY, JAMES MULVEY, ED PESKAY, CHARLES STERN, IRVING BERLIN and JOSEPH MOSKOWITZ lunching at Lindy's (51st St.) yesterday.

•

COLVIN BROWN, FRED MCCONNELL, ARTHUR JEFFREY, LOU POLLOCK, RAY GALLAGHER, JAMES CRON, HANK LINET, BUDD ROGERS, THOMAS LOACH, EUGENE PICKER, JACK MILLS, CHARLES PAINE, WALTER FUTTER and DOUGLAS ROTHACKER having lunch at the Tavern yesterday.

•

MONROE GREENTHAL, AL MARGOLIES, MAX WEISFELDT and IRVING SHAPIRO having lunch yesterday at Lindy's (next to the Rivoli).

•

HERMAN ROBBINS, GEORGE DEMBOW, TOBY GRUEN, AUSTIN KEOUGH, ROBERT WEITMAN, ARTHUR LOEW, JOHN BUCHANAN, JOHN D. HERTZ, JR., MORT SPRING, JOHN GARFIELD, MARCUS HEIMAN and AL LEWIS lunching at Sardi's yesterday.

•

JOSEPH COOPER is in town.

•

NED SPARKS is visiting here.

Hamrick Gets W. B. Product in Seattle

SEATTLE, Oct. 7.—Hamrick-Evergreen theatres in this city will again show Warner pictures during the coming season, after a year without the product.

"Knute Rockne—All American" opens at the Orpheum next week as the first release under the new program. Warner last season sold their product to John Danz for the Sterling circuit, after Hamrick-Evergreen's refusal to play the pictures on a single feature basis. For the coming year, Hamrick-Evergreen will use the Warner films at the Orpheum on a double feature policy.

Set Roosevelt Drive Leaders in Studios

HOLLYWOOD, Oct. 7.—Fred S. Meyer, chairman of the Hollywood for Roosevelt campaign groups, today named organization leaders for 18 studios. Joseph P. Touhy, business representative of the Studio Transportation Drivers Local 399, was appointed as assistant treasurer for the drive.

Skouras Trial Oct. 28

Federal Judge John Clancy has set Oct. 28 as the date of trial of the Government suit against George P. Skouras, Skouras Theatres Corp., Ktima Corp., and Harvey B. Newins, involving the sale of certain interests of Fox Theatres Corp. to Skouras Theatres.

Double Showing of 'Wanted' at Premiere

SAN FRANCISCO, Oct. 7. — Due to the demand for reservations to the world premiere here tomorrow of RKO's "They Knew What They Wanted," the film will be given a double showing at the Golden Gate Theatre. The festivities will include a grape fiesta. A group of 40 from Hollywood will include Charles Laughton, Anne Shirley, Zasu Pitts, Olympe Bradna, William Gargan, Leon Errol, Tim Holt and Linda Hayes, in addition to studio and press representatives.

Files Counter Suit In Settos Quarrel

LOUISVILLE, Oct. 7.—William Rosenthal, one of the three partners in the Settos circuit, operating in Indiana and Kentucky, has filed suit against the other two, George Settos and Frank M. Krapp, for the dissolution of the partnership and the appointment of a receiver.

The action follows a similar suit brought in Indianapolis late last week by Settos against the other two partners, also seeking dissolution and the appointment of a receiver.

Col. Sets Dividend

Columbia Pictures will pay a regular quarterly dividend of 68¾ cents per share on the $2.75 convertible preferred stock, on Nov. 15, to stockholders of record on Nov. 1.

A Century for M-G-M

Indianapolis, Oct. 7

MORE than a century of service to M-G-M is represented by the combined careers of seven employes at the local branch, it was discovered on the occasion of Manager Wade Willman's 18th anniversary with the company. Others are Foster Gauker, office manager, 18 years; Harry Stevens, head shipper, 17 years; Marie Krelein, secretary, 16 years; Whitey Wagner, salesman, 15 years; Ruth Reeves Sipe, cashier, 15 years, and Irene O'Brien, chief inspector, 13 years.

Urges Changes in Extra Hiring Rules

HOLLYWOOD, Oct. 7.—A modified seniority rule in the hiring of extras and the elimination from the industry of atmosphere players who during the past year have worked 10 days or less was urged today in the first report of the standing committee appointed under the Screen Actors Guild bargaining contract to study the problem of extras.

The committee declared that "while seniority alone is an unsatisfactory criterion upon which to base assurance of continued employment," nevertheless experienced players should get preference in casting calls. Centralization of extra records and elimination of independent casting offices for extras also was recommended.

Business Men Back Opening in Chicago

CHICAGO, Oct. 7.—The State Street Council, organization of retail business men, with Balaban & Katz will sponsor the premiere of Cecil B. DeMille's Paramount film, "North West Mounted Police" at the Chicago Theatre Oct. 24, Paramount officials announced yesterday.

The program includes a three-day civic reception beginning Oct. 22.

State St. will be decorated from Congress St. to Lake St., with flags and banners and window displays in every store. Beginning Oct. 14, each business on the street will tie in its advertising with the premiere.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.



"I CAME HERE TO MARRY YOU BECAUSE YOU WERE RICH... NOW I'M NOT FIT TO MARRY YOU EVEN IF YOU DIDN'T HAVE A DIME!"

...she had loved one too many
in "They Knew What They Wanted"

Sensationally Unforgettable!

Two great stars climaxing all previous appearances, in a tremendous attraction which you, too, will hail as one of the finest dramas ever produced!



CAROLE
LOMBARD

in

"They Knew W

Directed b

With WILLIAM GARGA


CHARLES
LAUGHTON
at They Wanted"
Garson Kanin
HARRY CAREY • FRANK FAY
RKO RADIO PICTURES
Harry E. Edington, Executive Producer
Produced by Erich Pommer
From the Pulitzer Prize Play by Sidney Howard



Ginger Rogers, as America's White-Collar Girl, in Christopher Morley's sensational best-seller, "Kitty Foyle," is rapidly nearing completion. . . . Just one more to add to RKO RADIO'S list of big ones, which includes pictures like George Abbott's long-run Broadway musical hit, "Too Many Girls"—Kay Kyser and his band in "You'll Find Out"—Anna Neagle in "No, No, Nanette" — Orson Welles in "Citizen Kane."

New Product Booms B'way Box-Offices

(Continued from page 1)

"Howards of Virginia" with a stage show in its second week at the Music Hall grossed an estimated $57,000 for the first four days of the second week. "They Knew What They Wanted" opens there Thursday.

"City for Conquest" with Bobby Byrne at the Strand took an estimated $21,000 for the first three days of its second week and will be held for a third. Saturday and Sunday, the opening days of the second week for "Strike Up the Band" were good for an estimated $15,000 at the Capitol. "Pastor Hall," which grossed an estimated $9,000 for the second week at the Globe, drew an estimated $3,300 for Saturday and Sunday.

"Long Voyage Home" will have its world premiere at the Rivoli tonight after six weeks for "Foreign Correspondent." The sixth week, which will be half a day short and end this afternoon, should be good for an estimated $18,000.

Arnold Sees Long Trial Without Pact

(Continued from page 1)

principal to Government interference in the industry, charging that lawyers and courts in consent decree litigation "do not understand our business, its background and its complexities."

If exhibitors and producers alike do not try to run their business on a higher standard of ethics, he asserted, the industry will find itself in the hands of outsiders.

"We need more sincerity of purpose and less of this dog-eat-dog attitude," said Kuykendall. "If we do not get together, we will lose our investment."

Kuykendall said the consent decree was arrived at without consulting theatre owners, even though it actually affects the owners' "bread and butter." He added that he is still "undecided" about the suggestion that exhibitors step into court at this time and intervene in the case.

He extended a plea for all exhibitors to "get together and take cognizance of national affairs."

Kuykendall said he is sure there is going to be a shortage of pictures, particularly "good product." The public, he said, is more discriminating and "shopping" more than ever before.

Named Dinerman Aide

CINCINNATI, Oct. 7.—Patrick Donovan, formerly chief of service at the RKO Grand, has been named assistant to E. V. Dinerman, RKO division director of advertising and publicity. He succeeds M. J. Whitmar, who resigned to join the advertising department of the local Kroger Grocery and Baking Co.

Kanin in for Opening

Garson Kanin arrived from the Coast yesterday to attend the premiere of "They Knew What They Wanted," which he directed, at Radio City Music Hall Thursday.

Hollywood Review

"Too Many Girls"

(RKO)

HOLLYWOOD, Oct. 7.—George Abbott has taken his highly successful musical comedy, "Too Many Girls," and, making his debut as a film producer and director, transferred it to the screen with such fidelity and expanse as to classify it as one of the top musicals of its kind. From his Broadway cast, Abbott obtained Desi Arnaz, Cuban conga dancer; Hal LeRoy, eccentric dancer; Eddie Bracken and Libby Bennett. He added Ann Miller, Lucille Ball, Richard Carlson, Frances Langford, Harry Shannon, Douglas Walton, Chester Clute, Tiny Person, Ivy Scott and Byron Shores.

Set mostly on the campus of the mythical New Mexican college of Pottawatomie, the story deals with the adventures of four football players hired by a wealthy man to act as bodyguards for his headstrong daughter. The four encounter a series of hilarious adventures on the field and the campus, one feature of the college being that there are 10 girls for every boy, another the fact that no football team at Pottawatomie has scored a touchdown since 1918.

Interspersed throughout the story are 10 musical numbers by Richard Rodgers and Lorenz Hart, the finale being one of the most outstanding seen on the screen in a long time. Arnaz leads a huge Conga serpentine dance and beats the Cuban conga drum in a virtual orgy of that particular rhythm. LeRoy Prinz, veteran dance director, executed some of his ablest work in staging the numbers.

Ann Miller particularly stands out for her dancing; Bracken, for his comedy rendition of dialogue and song. Arnaz, in his film debut, should create considerable comment.

John Twist did a commendable job of adapting the book by George Marion, Jr.

Running time, 84 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Legion Approves Eleven New Films

The National League of Decency for the current week has approved 11 of 12 new pictures, eight for general patronage and three for adults. One was classed as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage: "Billy the Kid in Texas," "Cherokee Strip," "A Dispatch from Reuters," "Dulcy," "The Gay Caballero," "Laddie," "The Quarterback," "Wagon Train." Class A-2, Unobjectionable for Adults: "I'm Still Alive," "Shubert's Serenade," "Strange Cargo" (revised version). Class B, Objectionable in Part: "Too Many Girls."

Hill Sues Films, Inc.

A breach of contract suit for $25,000 was filed yesterday in the N. Y. Supreme Court by Howard H. Hill against Films, Inc. Hill claims violation of a contract made in 1937 under which he became sole distributor in California for the defendant. Films, Inc., claims that the contract was later rescinded.

Plan Loew-Poli Fete

NEW HAVEN, Oct. 7. — Marshall Blevins has been appointed head of the arrangements committee for the annual dinner and dance of Loew-Poli employes, Nov. 20, at the Seven Gables Inn. Arthur DeFrank, John Santillo, John Bashta and Adam Innocenzi were named assistants.

Joins Phila. Exchange

PHILADELPHIA, Oct. 7. — Leonard Gimbel, formerly with Columbia, is a new addition to the sales staff of American Film Co., new independent exchange opened here some time ago by Ben Harris. Arthur Hyman has also joined the company.

Cuzner Reelected By Nova Scotia Unit

HALIFAX, N. S., Oct. 7.—W. H. Cuzner was reelected president of the Allied Motion Picture Exhibitors at its annual meeting here. Frank Sobey was elected vice-president, and T. J. Courtney was reelected secretary and treasurer.

The meeting endorsed the organization's own war activities for the coming year, and opposed regulations of the Nova Scotia board of censors, which were declared to be obsolete and unfair. A banquet concluded the convention.

RKO to Hold Two Sales Meets Abroad

Two foreign sales conventions of RKO will be held this week. Phil Reisman, vice-president in charge of foreign activities, will conduct a meeting for Brazil in Rio de Janeiro Thursday and Friday. Bruno Cheli, Brazil manager, will be chairman.

Ralph Doyle, RKO managing director in Australia, will conduct the Australasian sales convention opening today in Sydney.

Appeal 'Ramparts' Ban

PHILADELPHIA, Oct. 7.—RKO and Time, Inc., have appealed the Pennsylvania censor ban on "The Ramparts We Watch" to the State Supreme Court, after the Common Pleas Court upheld the ban on original appeal to the court.

To Vote on Sunday Films

ALBANY, Oct. 7.—Rensselaer, only upstate city without Sunday pictures, will settle the issue of legalizing films by voting on the issue in November.

Congressmen Get Exhibitor Decree Pleas

(Continued from page 1)

Arnold, assistant U. S. Attorney General, is expected to attend the meeting.

Judge Goddard has set next Tuesday for a hearing on the decree when, because of other commitments, he was unable to grant the request of J. Stephen Doyle, Assistant to the Attorney General, for a hearing next Monday.

Schechter yesterday asked Judge Goddard whether copies of the final draft would be available to independent exhibitors for study prior to the hearing.

Refers Query to Justice Department

"You will have to take that up with the Department of Justice," Judge Goddard replied. "It is not usual to give out the terms of a consent decree to the public before they have been given to the court."

Schechter interposed that he represented parties in interest in the proceedings.

"I take it," Judge Goddard said, "that the Department of Justice is acting on behalf of the entire industry and the public, so you should take your requests to them."

Judge Goddard informed Doyle that he would be willing to grant a further postponement beyond next Tuesday if additional time was required to reach a final agreement, but Doyle told the court that he "believed" the Government would be ready by the date set.

Industry observers, however, expressed doubt following an all day meeting at M.P.P.D.A. headquarters yesterday that the decree could be presented to the court next Tuesday. The meeting developed several differences of views on the desirability of phraseology changes in the draft. These will be discussed with Department of Justice representatives at the meeting in Washington this afternoon.

No Final Arbitration Agreement

It was pointed out that in addition to the questions of phraseology, which may take some time to resolve, there also has been no final agreement on the arbitration provisions which supplement the decree.

For these reasons, representatives of the consenting companies said, they did not believe there was any possibility of the decree being signed at the Washington meeting today.

Government representatives had stated last week that they expected the signing would occur at this meeting.

Those scheduled to attend today's meeting include: Nicholas M. Schenck and J. Robert Rubin for Loew's; George J. Schaefer for RKO; Thomas D. Thacher, Paramount; Joseph Hazen, Warners; Richard Dwight, 20th Century-Fox, and Bertram Shipman for Chase National Bank and National Theatres.

Handle French Film

Arthur Mayer and Joseph Burstyn, Inc., have closed a deal with Walter Wanger Productions, Inc., for the distribution in this country of the French film, "Pepe Le Moko," from which Wanger made the film, "Algiers."

Coast Plants Engaged on 39 New Films

HOLLYWOOD, Oct. 7.—Thirty-nine pictures were before the cameras this week, as 10 started and 11 finished. Nineteen are being prepared, and 69 are being edited.

The tally by studio:

Columbia

Finished: "Ellery Queen."

In Work: "This Thing Called Love."

Started: "Legacy."

M-G-M

Finished: "Should Dr. Kildare Tell?"

In Work: "Go West," "Flight Command," "Comrade X," "Gallant Sons."

Monogram

In Work: "Phantom of Chinatown."

Started: "Oklahoma Bound."

Producers Releasing

Started: "Riders of Black Mountain."

Paramount

Finished: "Virginia."

In Work: "I Wanted Wings," "Shepherd of the Hills," "Reaching for the Sun."

Started: "You're the One," "Doomed Caravan."

RKO

Finished: "No, No, Nanette."

In Work: "Citizen Kane," "You'll Find Out," "Kitty Foyle," "Debutantes, Inc.," "Mr. and Mrs. Smith," "Three Girls and a Gob."

Republic

Finished: "Melody Ranch," "Meet the Missus."

In Work: "The Mysterious Dr. Satan," "Texas Terror."

Started: "Barnyard Follies."

Korda

In Work: "Lady Hamilton."

Loew-Lewin

In Work: "Flotsam."

Richard Rowland

Started: "Cheers for Miss Bishop."

20th Century-Fox

Finished: "Hudson's Bay," "Romance of the Rio Grande," "Golden Hoofs."

In Work: "Chad Hanna," "Tin Pan Alley," "Corncob Kelly's Benefit," "The Private Practice of Michael Shayne," "Western Union."

Universal

In Work: "The Bank Dick," "San Francisco Docks."

Started: "Trail of the Vigilantes."

Warners

Finished: "High Sierra," "Always a Bride."

In Work: "The Lady with Red Hair," "South of Suez."

Started: "Carnival," "Trial and Error."

New Atlantic City House

ATLANTIC CITY, Oct. 7.—A new 1,450-seat film theatre with facilities for stage productions will be constructed on the site of the long-closed Second National Bank, it was announced by Frank P. Gravatt, operator of Steel Pier here and president of the SCA Co., which will operate the new house.

Sell Frisco Suburban

SAN FRANCISCO, Oct. 7.—The Harvey Amusement Co. has sold the Roxy in suburban Pleasanton, to Yates Ham, former Los Angeles theatre man.

Feature Reviews

"Diamond Frontier"

(Universal)

HOLLYWOOD, Oct. 7.—Second film on which Marshall Grant has acted as associate producer, "Diamond Frontier" is an action-laden tale of life in the diamond country of South Africa in the 1870's.

Returning to his home town to practice medicine, John Loder finds a group of three men, headed by the burly diamond miner portrayed by Victor McLaglen, gradually stripping everyone else in the town of his holdings. For his investigations, Loder is sent to a penal colony on a trumped up charge, escapes and returns to see justice served.

Anne Nagel, Cecil Kellaway, Philip Doran, Francis Ford, Hugh Sothern, Ferris Taylor and Siegfried Arno are among those lending capable support. The story, an original by Edmund Hartmann and Stanley Rubin, stresses action elements, and parallels, in its later sequences, the role given Edmund Dantes in Dumas' "Count of Monte Christo." Film notice is taken of this resemblance, with the principal character referred to as a "modern Monte Cristo," which was also to have been the title of the picture. Harold Schuster directed.

Running time, 71 minutes. "G."* W. S.

"Wagon Train"

(RKO)

HOLLYWOOD, Oct. 7.—Beautiful scenery features "Wagon Train," first of the series of western pictures starring Tim Holt that RKO is making.

Supporting young Holt are Ray Whitley, Emmett Lynn in a characterization similar to that created by George "Gabby" Hayes in another series of westerns, Martha O'Driscoll, Malcolm McTaggart and others.

Morton Grant adapted the story of Bernard McConville, with Edward Killy directing. Bert Gilroy was the associate producer under Lee Marcus.

Holt, who conducts a wagon train business in the early west, is the object of a plot by a food profiteer who seeks a monopoly of the freighters. In the development of the story, the profiteer is exposed as the slayer of Holt's father, is killed by his own son, and Holt wins the girl.

Running time, 58 minutes. "G."* VANCE KING

**"G" denotes general classification.*

"The Open Road"

(Robert Mintz)

From the play by Jean Richepin, this French film under the direction of Fernand Rivers has captured the feeling of the French peasantry, the love of land and the desire for independence of the farm people. In contrast is the love of freedom and the wanderlust of the typical vagabond, played with fine artistry by Victor Francen.

The film is adult entertainment with its reference to an illegitimate child as a result of the brief stay of the vagabond at a farm, where he falls in love with a farm girl, played by Tania Fedor. Unable to face a future which involves a settled life, he wanders off, while a suitor marries the girl and keeps the child's secret. Twenty years later, the vagabond returns to find the boy unhappy because the farm owner will not permit his daughter to marry the boy. He straightens the matter, brings happiness to those involved, then again wanders away on the open road.

Running time, 90 minutes. "A."* CHARLES S. AARONSON

**"A" denotes adult classification.*

'Kildare' and Show Get $16,300, Omaha

OMAHA, Oct. 7.—"Dr. Kildare Goes Home" with Laurel and Hardy on the stage at the Orpheum drew $16,300. The weather was clear and cool.

Estimated takings for the week ending Oct. 2-3:

"I Want a Divorce" (Para.)
"Stranger on the Third Floor" (RKO)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $4,100. (Average, $4,000)

"Flowing Gold" (W. B.)
"Girl from Avenue A" (20th-Fox)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $5,200. (Average, $6,000)

"Dr. Kildare Goes Home" (M-G-M)
ORPHEUM—(3,000) (40c-55c) 7 days. Stage: Laurel and Hardy with vaudeville unit. Gross: $16,300. (Average, $7,200)

Court Approves Theatre

PHILADELPHIA, Oct. 7.—The State Supreme Court has ruled a film theatre may be erected in the New Stenton residential development here. The opinion ended an 18-month fight by residents. Plans for the house were originated by Abe Sablosky, local exhibitor.

Free on Lottery Charge

THIBODAUX, La., Oct. 7.—Harold Reseweber, exhibitor, was freed of a charge of violating the Louisiana state lottery law in a hearing before a jury in the local District Court. He was charged with awarding a money prize on certain nights of the week at the Joy Theatre at Larose, La.

'Band' Draws Good $28,000, Los Angeles

LOS ANGELES, Oct. 7.—"Strike Up the Band" led the parade here with a total of $28,200, taking $13,200 at the Chinese and $15,000 at Loew's State. "Foreign Correspondent" drew a strong $9,800 at the 4 Star.

Estimated takings for the week ending Oct. 2:

"Strike Up the Band" (M-G-M)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $13,200. (Average, $12,500)

"Foreign Correspondent" (U. A.)
4 STAR—(900) (55c-75c) 7 days. Gross: $9,800. (Average, $3,250)

"He Stayed for Breakfast" (Col.)
"Girls of the Road" (Col.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. 2nd week. Gross: $6,900. (Average, $6,500)

"Strike Up the Band" (M-G-M)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $15,000. (Average, $14,000)

"He Stayed for Breakfast" (Col.)
"The Secret Seven" (Col.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $6,600. (Average, $7,000)

"The Quarterback" (Para.)
"Rangers of Fortune" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: Judy Canova with Anne & Zeke. Gross: $11,000. (Average, $18,000)

"All This, and Heaven Too" (W. B.)
WARNER BROS., (HOLLYWOOD)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $10,400. (Average, $14,000)

"All This, and Heaven Too" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400) (33c-44c-55c-75c) 7 days. Gross: $11,800. (Average, $12,000)

Indianapolis Gives 'Band' Good $12,000

INDIANAPOLIS, Oct. 7.—"Strike Up the Band" and "Secret Seven" did a smash $12,000 at Loew's. "Spring Parade" and "Men Against the Sky" at the Indiana drew $6,800. The weather was warm and dry and competition negligible.

Estimated takings for the week ending Oct. 4:

"The Mummy's Hand" (Univ.)
"Argentine Nights" (Univ.)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $5,300. (Average, $6,000)

"Spring Parade" (Univ.)
"Men Against the Sky" (RKO)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $6,800. (Average, $5,500)

"Strike Up the Band" (M-G-M)
"Secret Seven" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $12,000. (Average, $7,000)

"Up in the Air" (Mono.)
LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: Ozzie Nelson Orchestra, with Harriet Hilliard and show. Gross: $8,200. (Average, $8,000)

'Band' Tallies Fine $11,000, New Haven

NEW HAVEN, Oct. 7.—"Strike Up the Band" and "Charlie Chan at the Wax Museum" took $11,000 at the Loew-Poli.

Estimated takings for the week ending Oct. 3:

"Young People" (20th-Fox)
"Public Deb. No. 1" (20th-Fox)
COLLEGE (1,499) (28c-39c) 7 days. Gross: 1,400. (Average, $2,700)

"Strike Up the Band" (M-G-M)
"Charlie Chan at the Wax Museum" (20th-Fox)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $11,000. (Average, $8,000)

"Rangers of Fortune" (Para.)
"Sandy Is a Lady" (Univ.)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $4,500. (Average, $4,000)

"No Time for Comedy" (W. B.)
"Men Against the Sky" (RKO)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $6,100. (Average, $5,000)

LIGHTING EXPERTS

BESIDE the camera and behind the lens, lighting experts work in perfect agreement. Cameramen depend implicitly on the ability of Eastman negative films to bring out the best in every scene. The beauty of modern productions is striking evidence of the success of this partnership.

Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*

Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

'Hall' Takes $8,500; Loop Grosses Off

CHICAGO, Oct. 7.—The film, "Three Faces West" with the Dead End Kids and Little Tough Guys on the stage of the Oriental drew $17,500 in a week of generally dull business. "Pastor Hall" scored $8,500 at the Apollo in the second week.

Estimated takings for the week ending Oct. 4:

"Pastor Hall" (U. A.)
APOLLO—(1,400) (35c-55c-75c) 7 days, 2nd week. Gross: $8,500. (Average, $6,500)
"Brigham Young" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Art Jarrett and Band. Gross: $28,000. (Average, $32,000)
"Sea Hawk" (W. B.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $4,500. (Average, $5,000)
"Three Faces West" (Rep.)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Dead End Kids and Little Tough Guys. Gross: $17,500. (Average, $13,000)
"Hired Wife" (Univ.)
"Mummy's Hand" (Univ.)
PALACE—(2,500) (35c-40c-60c) 7 days, 4th week. Gross: $8,500. (Average, $13,000)
"The Westerner" (U. A.)
ROOSEVELT—(1,500) (25c-55c-75c) 7 days. Gross: $11,000. (Average, $11,000)
"Sporting Blood" (M-G-M)
STATE-LAKE—(2,700) (25c-40c) 7 days. Stage: Bruce Cabot. Gross: $16,000. (Average, $15,000)
"Boom Town" (M-G-M)
UNITED ARTISTS—(1,700) (50c-65c-75c-85c) 7 days, 5th week. Gross: $8,500. (Average, $14,000)
"Gone With the Wind" (M-G-M)
WOODS—(1,100) (75c-$1.10-$1.50) 7 days, 36th week. Gross: $8,000.

'Band' at $17,000 Big in Providence

PROVIDENCE, Oct. 7.—"Strike Up the Band," dualled with "Dulcy" at Loew's State, drew $17,000. "Spring Parade" and "Men Against the Sky," at the RKO Albee, took $7,300.

Estimated takings for the week ending Oct. 2-3:

"Spring Parade" (Univ.)
"Men Against the Sky" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $7,300. (Average, $6,000)
"Strike Up the Band" (M-G-M)
"Dulcy" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $17,000. (Average, $11,000)
"No Time for Comedy" (W. B.)
"Yesterday's Heroes" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $4,000. (Average, $7,000)
"The Quarterback" (Para.)
"Earl of Puddlestone" (Rep.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $4,100. (Average, $6,000)
"The Howards of Virginia" (U. A.)
"Cross Country Romance" (RKO)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $1,800. (Average, $3,500)
"Queen of the Yukon" (Mono.)
METROPOLITAN—(3,045) (28c-39c-55c-75c) 3 days. Stage show with Ben Bernie orchestra and Bert Wheeler. Gross: $4,500. (Average, $8,000)
"The Mummy's Hand" (Univ.)
"The Tulsa Kid" (Rep.)
FAY'S—(1,800) (15c-28c-39c) 7 days. Gross: $3,000. (Average, $2,500)
"Anne of Windy Poplars" (RKO) 3 days
"Mystery Sea Raider" (Para.) 3 days
"Flowing Gold" (W. B.) 4 days
"He Stayed for Breakfast" (Col.) 4 days
EMPIRE—(2,200) (20c-28c) 2nd run. Gross: $1,400. (Average, $1,700)

Change Three Titles

HOLLYWOOD, Oct. 7. — Twentieth Century-Fox has changed the titles of three pictures: "Yankee Doodle Goes to Plattsburg" to "Rise and Shine," "Tune In" will be "Stand Up and Cheer," and the final title of Geoffrey Household's novel, "Rogue Male" will be "Man Hunt."

'Blood and Sand', 'Swan' Are Bought for Power

HOLLYWOOD, Oct. 7.—Twentieth Century-Fox has purchased material for TYRONE POWER, soon to be seen in "The Mark of Zorro," vehicle of the late DOUGLAS FAIRBANKS, SR. DARRYL F. ZANUCK purchased "Blood and Sand," made years ago with RUDOLPH VALENTINO in the leading role, last week, and the next day announced that RAFAEL SABATINI's "The Black Swan" had been bought for POWER.

• •

Republic has extended the contract of Jane Frazee, the girl who sings, dances and acts in "Melody and Moonlight." The option period is for a year, in which the studio may feature her in about three or four pictures.

• •

GEORGE HOUSTON has been signed by HARRY RATHNER, president of Producers Releasing Corp., to star in his company's group of six "Lone Rider" musical westerns. SIGMUND NEUFELD will produce. . . . DONALD CRISP and RONALD REAGAN join the cast of "The Sea Wolf" at Warners. . . . EDDIE CONRAD, who played the Latvian Ambassador in "Foreign Correspondent," has been cast in "You're the One," at Paramount. . . . PAUL PORCASI will be in ALEXANDER KORDA's "Lady Hamilton." . . . JOAN WOODBURY will be seen in Republic's "Barnyard Follies."

• •

With FRANK MORGAN, BILLIE BURKE, DONALD MEEK and JUNE PREISSER in the top spots, M-G-M will produce "The Wild Man of Borneo," from a Broadway play by MARC CONNELLY and HERMAN MANKIEWICZ. Robert Sinclair will direct and JOSEPH MANKIEWICZ produces. . . . EDDIE ALBERT has signed a new contract with Warners. . . . TONY MARTIN has the masculine lead in M-G-M's "Ziegfeld Girl." . . . RKO extended the contract of DESI ARNAZ, Cuban conga king.

• •

CHRISTY CABANNE'S daughter, CHRISTINE, and MARGUERITE JENNINGS, daughter of the late DEWITT JENNINGS, have been signed by DESIDER PEK, playwright producer of "Forty Thousand Smiths," opening this week at the Ben Bard Playhouse.

'Band' Kansas City Smash with $14,200

KANSAS CITY, Oct. 7.—"Strike Up the Band" and "Secret Seven" gave the Midland $14,200. "The Ramparts We Watch," in a return date at the Esquire and Uptown, took $2,500 at the Esquire and $3,000 at the Uptown.

Estimated takings for the week ending Oct. 1-3:

"The Ramparts We Watch" (RKO)
ESQUIRE—(800) (28c-44c) 6 days. Gross: $2,500. (Average, 6 days. $1,800)
"Strike Up the Band" (M-G-M)
"The Secret Seven" (Col.)
MIDLAND—(4,000) (28c-44c) 7 days. Gross: $14,200. (Average, $9,500)
"I Want a Divorce" (Para.)
NEWMAN—(1,900) (28c-44c) 7 days. Gross: $7,000. (Average, $7,000)
"Money and the Woman" (W. B.)
"Men Against the Sky" (RKO)
ORPHEUM—(1,500) (28c-44c) 7 days. Gross: $3,200. (Average, $5,000)
"Tear Gas Squad" (W. B.)
TOWER—(2,200) (30c) 7 days. Stage: Dusty Rhodes & his orchestra, featuring Helen Nash, Four Dusters, Johnny Casella, and Emory Hammer. Gross: $5,500. (Average, $6,000)
"The Ramparts We Watch" (RKO)
UPTOWN—(2,000) (28c-44c) 6 days. Gross: $3,000. (Average, 6 days, $2,700)

'Correspondent' Sets Good Baltimore Pace

BALTIMORE, Oct. 7.—The Century and Keith's Theatre took the lead this week with "Foreign Correspondent" and "Spring Parade," respectively. Strong weekend business helped the total figures all around, with exception of "The Great Profile."

Estimated takings for the week ending Oct. 3:

"Foreign Correspondent" (U.A.)
CENTURY—(3,000) (15c-28c-44c) 7 days. Gross: $11,500. (Average, $10,000)
"Spring Parade" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $11,000. (Average, $9,000)
"He Stayed For Breakfast" (Col.)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days, with stage show topped by Gae Foster Roxyettes. Gross: $13,000. (Average, $14,000)
"The Great Profile"
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $6,000. (Average, $7,000)
"No Time For Comedy" (W.B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. 2nd week. Gross: $8,000. (Average, $12,000)

'Band' Hits $9,800 Milwaukee Gross

MILWAUKEE, Oct. 7. — The Riverside drew $14,000 with Tommy Tucker and the film, "Slightly Tempted." "Strike Up the Band" and "Sky Murder" grossed $9,800 at Fox's Wisconsin.

Estimated takings for the week ending Oct. 1-4:

"Kit Carson" (U. A.)
"Dance, Girl, Dance" (RKO)
WARNER—(2,400) (30c-40c-55c) 6 days. Gross: $4,000. (Average, $4,500)
"The Howards of Virginia" (Col.)
"Pier 13" (20th-Fox)
PALACE—(2,400) (30c-40c-55c) 7 days. Gross: $6,200. (Average, $4,000)
"Slightly Tempted" (Univ.)
RIVERSIDE—(2,700) (28c-44c) 7 days. Stage: Tommy Tucker. Gross: $14,000. (Average, $6,500)
"Boom Town" (M-G-M)
"The Golden Fleecing" (M-G-M)
STRAND—(1,400) (30c-40c-55c) 7 days. 2nd week. Gross: $1,800. (Average, $1,500)
"Strike Up the Band" (M-G-M)
'Sky Murder" (M-G-M)
WISCONSIN—(3,200) (30c-40c-55c) 7 days. Gross: $9,800. (Average, $5,500)

Trade Figures at Art Theatre Opening

The Art Theatre, East Eighth St. and University Place, Greenwich Village, opened last night with "Whirlpool," French film, as the initial attraction. The 600-seat house was built and is owned by Herman Weingarten. Irving H. Ludwig is manager.

Among those attending the opening were Frances Farmer, Louis Frisch, Samuel Rinzler, Ray Rhonheimer, Thomas Lamb, Mr. and Mrs. Mitchell Klupt, Charles Moses, Jack Alicoate, Edward Rugoff, Herman Becker, A-Mike Vogel, Irvin Shapiro, Arche Mayer, Martin Lewis, Gertrude Merriam, Edward Stern.

Rubel Replacing Theatre

GRUNDY CENTER, Ia., Oct. 7.—A new 500-seat theatre is being erected here by Frank Rubel, replacing the house destroyed recently by fire.

'Foreign' Is Seattle High With $9,000

SEATTLE, Oct. 7.—"Foreign Correspondent" took a big $9,000 at the Liberty, with "Strike Up the Band," drawing $8,800 at the Fifth Avenue.

Estimated takings for the week ending Oct. 4:

"Boom Town" (M-G-M)
BLUE MOUSE—(950) (35c-50c-65c) 7 days, 4th week. Gross: $3,800. (Average, $4,000)
"Strike Up the Band" (M-G-M)
FIFTH AVENUE—(2,500) (30c-40c-50c-65) 7 days. Gross: $8,800. (Average, $7,000)
"Foreign Correspondent" (U. A.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days. Gross: $9,000. (Average, $5,000)
"Wyoming" (M-G-M)
"Dr. Kildare Goes Home" (M-G-M)
MUSIC BOX—(950) (30c-40c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $4,000)
"Argentine Nights" (Univ.)
"The Mummy's Hand" (Univ.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $4,900. (Average, $6,000)
"Flowing Gold" (W. B.)
PALOMAR—(1,500) (30c-40c-50c-65c) 7 days. Vaudeville headed by Gleason & Sanborn. Gross: $5,100. (Average, $5,000)
"Hired Wife" (Univ.)
"Gay Caballero" (Univ.)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. Gross: $6,500. (Average, $6,000)

'Foreign' at $10,600 Strong in Cincinnati

CINCINNATI, Oct. 7. — Despite diversion of attention from the theatre by the anticipated and actual playing of the World Series here, "Foreign Correspondent" drew $10,600 at the RKO Palace and "Spring Parade" garnered $12,500. The weather was pleasant.

Estimated takings for the week ending Oct. 1-5:

"Spring Parade" (Univ.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $12,500. (Average, $12,000)
"Foreign Correspondent" (U. A.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $10,600. (Average, $10,000)
"City for Conquest" (W. B.)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days, 2nd week. Gross: $2,800. (Average, $5,000)
"The Howards of Virginia" (Col.)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $3,400. (Average, $5,500)
"No Time for Comedy" (W. B.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days, 2nd week. Gross: $4,500.
"Money and the Woman" (W. B.)
RKO LYRIC—(1,400) (28c-33c-42c) 5 days. Gross: $2,100. (Average, 7 days, $4,500)
"Ragtime Cowboy Joe" (Univ.)
"Golden Gloves" (Para.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"Stranger on the Third Floor" (RKO)
"Tom Brown's School Days" (RKO)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)
"Haunted Honeymoon" (M-G-M)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $3,600. (Average, $5,000)

B'way Houses Make Price Adjustments

Increases in "early bird" admission prices at Broadway houses from the former 25 cents plus Federal defense tax, to 35 cents, tax included, means an increase of six cents per ticket to theatres. Night admissions for Saturdays, Sundays and holidays, which have been raised from 75 cents, plus tax, to 85 cents, tax included, represent a net increase to the theatres of one cent per ticket, after deduction of Federal tax.

The Roxy started the price increase and was joined by the Capitol, Paramount, Strand and Rivoli.

Cinema

FIRST ANNUAL BANQUET AND BALL

LODGE NO. 1366 · B'NAI B'RITH

ALFRED W. SCHWALBERG
President

MILES H. ALBEN
HENRY C. KAUFMAN
JULES LEVEY
HAROLD RODNER
COL. A. RALPH STEINBERG
Vice Presidents

MAX B. BLACKMAN
Treasurer

JEROME I. HYMAN
Secretary

•

ADVISORY BOARD

BARNEY BALABAN
JOSEPH BERNHARD
NATE J. BLUMBERG
HARRY BRANDT
JACK COHN
MAX FLEISCHER
NATHAN LEVY
ABE MONTAGUE
CHARLES C. MOSKOWITZ
DR. DAVID DE SOLA POOL
ABE SCHNEIDER
SAMUEL SCHNEIDER
MURRAY SILVERSTONE
NATE SPINGOLD
HERMAN STARR
MAJOR ALBERT WARNER
HARRY M. WARNER
ABRAHAM S. WEBER

Address communications to
Col. A. Ralph Steinberg
101 Park Ave.—Room 339
New York City
CAledonia 5-7531

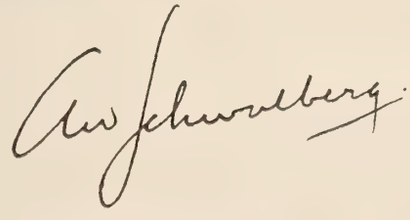
AN OPEN LETTER TO EVERYONE
IN THE AMUSEMENT INDUSTRY:

On Saturday, October 26th, 1940, Cinema Lodge will hold its first Annual Banquet and Ball at the Hotel Pennsylvania.

It is the aim of the various committees in charge of arrangements and entertainment to make this event one of the most enjoyable in the history of the amusement industry.

Benny Goodman will furnish the music and we have been assured by the entertainment committee that the most important personalities of the Screen, Radio, Stage and Music will be there that night.

To insure the complete comfort of every one of our guests, we have definitely limited the number of tickets to be sold. Reservations are now being accepted. Subscriptions $5. per person.



A. W. Schwalberg,
President

HOTEL PENNSYLVANIA—OCTOBER 26, 1940

Short Subject Reviews

"Stranger Than Fiction, No. 83"
(Universal)

The material used in this number of the series is similar to the items in the short's predecessors and makes for diversified entertainment. Shown are the use of egg shells in making dolls; a woman lumberjack; a pitcher collection; odd-shaped stones, and Cherokee Indians shooting blow guns. Running time, 9 mins.

"The Spook Speaks"
(Columbia)

The mere fact that Buster Keaton is involved in a comedy that concerns spiritualism in a magician's house suggests laughs. Keaton is employed as a caretaker while the magician goes on tour. A former assistant to the magician, in seeking to learn the latter's secrets, tries to scare Keaton out. Newlyweds, the bride a spiritualist, also are on hand, as well as a trained penguin and the magician's tools. There are many laughs. Running time, 18 mins.

"Master of the Cue"
(Columbia)

Willie Hoppe, as "master of the cue," gives evidence of that designation, performing skillfully on the billiard table. He executes uncanny trick shots and shows how the game developed, from straight-rail billiards to three cushion. For added effect, girls pose on the table, making the shots appear more spectacular. Running time, 10 mins.

"Floating Elephants"
(Columbia)

Floating elephants are huge balloons suspended over air raid objectives in England, preventing dive bombing and making it difficult for the raider to come near the objective. The film first shows a German bomber attacking a British convoy. The plane is downed and the pilot rescued at sea. The use of the balloons is then explained. The film could hardly be classified as entertaining, but rather as a timely document picturing an important means of air defense. Running time, 9 mins.

"Schoolboy Dreams"
(Columbia)

A Phantasy Cartoon, this has Scrappy arriving late for school and then paying little attention to proceedings. A beautiful new teacher appears at that point and Scrappy becomes attentive, but after a spell dozes off to dream of himself as a knight and the teacher as a princess. He awakens and finds that he has been made the class dunce. Running time, 5 mins.

"Farmer Tom Thumb"
(Columbia)

Tom Thumb is again the subject of a cartoon. Here he is seen as the son of a disappointed farmer who had expected a big and strong assistant. When the crops are bad, Tom saves the day with "farm vitamins," which he had read about in a magazine. Tom Thumb has been seen in funnier situations. Running time, 6 mins.

Off the Antenna

PROMOTIONAL campaigns for the sale of radio sets for the remainder of the year will be planned at a meeting of the Radio Manufacturers Association directors at the Hotel Roosevelt this afternoon. Following the "Listen Before You Vote" campaign which will end Election Day, a 20-day promotion for the 20 years since the broadcast of the Harding election returns which marked the beginning of regular broadcasting will be conducted from Nov. 11-30. The latter campaign will be a joint venture with the National Association of Broadcasters. In December there will be a drive to promote the use of radio sets as Christmas gifts.

Among other matters up for discussion at today's meeting are standards for radio parts and cooperation with the national defense program.

• • •

Program News: *Kate Smith will be guest on "Musical Americana" Thursday when the program switches to Thursday at 10:30 P.M. over NBC-Red. . . . "Dr. Christian" has been renewed over 64 CBS stations by Cheseborough Manufacturing Co. and will be heard Wednesdays at 8:30 P.M. . . . Vicks Chemical Co. has bought announcements on Larry Elliott's "Rising Son" over WABC, Monday, Wednesday and Friday from 6:35-7 A.M. . . . "First Offender" returns to Mutual Saturday at 10 A.M. as a sustainer.*

• • •

Howard Barnes, film critic for the Herald-Tribune, started at midnight to do a Monday through Friday series for WOR. He will concentrate on the legitimate theatre and films but will also review night club shows, opera and even the circus.

• • •

The three major networks, NBC, CBS and MBS, were among the 50 leaders which won awards from the Direct Mail Advertisers Association for direct mail campaigns. The NBC San Francisco and Chicago offices received honorable mention. There was no selection as among the first 50, each having been cited for merit.

• • •

Purely Personal: *Al Newman, radio editor of* Newsweek, *became the father of a boy yesterday. . . . John G. T. Gilmour, director of General Electric's motion picture department, has been named program manager for television. Charles R. Brown of the market research section will move into Gilmour's post and W. T. Cook has been placed in charge of scenarios for both television and film programs. . . . Edgar Kobak, NBC vice-president in charge of Blue sales, will address the Cincinnati Advertisers Club tomorrow. . . . Charles Stark is doing the announcing on Kate Smith's noonday program. . . . Walter S. Newhouse, Jr., has joined the WQXR sales staff.*

• • •

WMCA has concluded a deal with the Al Jolson show, "Hold On to Your Hats," and four scenes in the first act include the station's call letters and microphones. Julius J. Colby, dramatic director for WMCA, arranged the promotion.

Neville Miller Gets Music Parley Plea

Network officials yesterday referred to Neville Miller, National Association of Broadcasters president, the request for a conference made by Fred Waring on behalf of "name" band leaders in the current Ascap-Broadcast Music, Inc. dispute. Considering the whole music situation an industry-wide issue, network officials took the attitude that it could be handled best by Miller.

Meanwhile, John G. Paine, Ascap general manager, disputed the claim of Sidney M. Kaye, BMI vice-president and general manager, that Ascap was unwilling to meet with Miller or any other committee designated by the broadcasters. Paine declared that Ascap would meet with Miller or any other person who was given authority to negotiate or close a contract.

AFRA and Nets Set Wages Settlement

Legal details were completed yesterday for settlement of the dispute between the American Federation of Radio Artists and the major networks on wages for performers on sustaining shows. Meetings of AFRA locals in New York, Chicago, San Francisco and Los Angeles will be held shortly to ratify the contracts.

Performing Artists Sue on Record Use

PHILADELPHIA, Oct. 7.—National Association of Performing Artists has instituted three suits here against three local distributors of coin phonograph machines and one cafe owner to restrain use of recordings without payment of royalty to the performers. The suit is similar to one brought against radio stations to prevent use of records for broadcast purposes.

The complaint alleges that there are about 300,000 coin phonographs in operation in the country bringing an annual revenue of between $175,000,000 and $200,000,000. The actions were brought in Common Pleas Court by James J. Walker and Fred Waring, as trustees of the organization.

Set K. C. Bowling

KANSAS CITY, Oct. 7. — Frank Hensler, branch manager for M-G-M, and Ernest Mehl, Kansas City *Star*, general chairmen for the annual Variety Club-*Star* bowling tournament, have set this year's play for Dec. 21-22. Proceeds are used to buy milk for undernourished school children in the two Kansas Citys.

Named Schine Manager

GENEVA, N. Y., Oct. 7.—Gerald F. Fowler has been named manager of Schine's Geneva here and assistant to C. C. Young, zone manager. George Cameron, former Geneva manager, has been transferred to Seneca Falls.

Theatre Changes

Shift Tri-States Managers

DAVENPORT, Ia., Oct. 7. — Joseph Kinsky, district manager of Tri-States theatre in the Davenport area, has announced promotions for managers of three of Tri-States theatres here.

Richard Stoddard, manager of the new Esquire, has been made manager of the Capitol under the supervision of Dale McFarland, Davenport city manager. Jack Kolbo, formerly assistant manager of the Omaha at Omaha, will take over the management of the Esquire, and Dean Rogers, assistant manager at the Esquire, has been named publicity director for the Davenport district under Kinsky. Robert Schmitz, formerly treasurer at the Capitol, is to be assistant at the Esquire.

Take Over Kansas House

KANSAS CITY, Oct. 7.—Sol Banks of St. Louis and Nick Kotsis, who operates the Holden at Holden, Mo., and the Oswego, Oswego, Kan., have taken over the Lee at Cherryvale, Kan., from R. O. Lee.

Sells House in Iowa

CRESCO, Ia., Oct. 7.—Floyd R. Puffer has sold the Cresco to the Central States Theatre Corp. of Des Moines.

Building Missouri Theatre

KANSAS CITY, Oct. 7.—A new 350-seat house is being built at Buffalo, Mo., by Shields Wilson, operator of the Camden at Camdenton, Mo. Buffalo also has the Nu Buflo, operated by C. C. Rhodes of Warsaw, Mo.

Opening Philadelphia House

PHILADELPHIA, Oct. 7. — Simon Finestone will open his new Castor Theatre here shortly. Theodore Kirmse will operate it.

Fishman Leases Theatre

NEW HAVEN, Oct. 7. — Fishman Theatres, Inc., have leased the 500-seat Apollo, closed for the Summer, to Max Post, its former manager. The policy is three changes a week, at a 20-cent top.

Brooklyn House Reopened

The Jefferson, Brooklyn theatre, has reopened.

Renew Theatre Lease

SOUND VIEW, Conn., Oct. 7.—Adolph G. Johnson and Albert Poulton have renewed their lease for next Summer on the New Colony.

Loew's Leases House

BRIDGEPORT, Conn., Oct. 7.—Loew's, Inc., have leased the Lyric to Max Rudnick of the Eltinge Theatre, New York, for a Winter season of burlesque.

National Theatre Supply Deals

National Theatre Supply Co. has made installations of equipment recently in 82 theatres in various parts of the country. The equipment included sound systems, projectors, screens, projection lamps and lenses.

House Open Every Night

SAN ANTONIO, Oct. 7. — Because of increased enlistments at Brooks Field, Tex., the Post Theatre, seating 450, operates every night, where formerly it was open only three nights a week.

FILE COPY

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 71 NEW YORK, U. S. A., WEDNESDAY, OCTOBER 9, 1940 TEN CENTS

Foreign Air Shows to Be Probed by U.S.

FCC Sends Questionnaire To Broadcasters

WASHINGTON, Oct. 8.—The FCC today initiated an investigation of foreign language broadcasts on U. S. stations. At a meeting of the commission, approval was given to the sending of questionnaires to standard stations pertaining to programs in foreign languages.

FCC officials yesterday held a conference with representatives of international short wave stations, discussing plans for controlling foreign language broadcasts by requiring speakers to reduce their addresses to writing and to follow their scripts faithfully.

Approximately five per cent of the nation's 700-odd stations use foreign language broadcasts and many national advertisers use foreign language broadcasts for specialized markets. About $3,000,000 is spent annually for these types of broadcasts, it has been estimated.

The situation concerning such broadcasts caused attention after the outbreak of war in Europe. Many foreign language commentators and an-

(Continued on page 8)

Para. Employes to Submit Film Ideas

Paramount home office employes have been invited to submit production ideas for features and shorts which may be used in planning the company's 1941-'42 production schedule. Cash prizes totalling $375 have been offered for the best suggestions.

Winners in the home office will compete for additional cash prizes with winners in Paramount's New York theatre department. Judges of the contest, which closes Oct. 15, are: Leonard Goldenson, Arthur Israel, Leon Netter, Sam Dembow, Harry Royster, Robert Weitman, M. F. Gowthorpe and J. A. Walsh.

Films Commission Plan Faces Snag

LONDON, Oct. 8.—Little concrete progress has been achieved on the plan of the British Board of Trade for the establishment of a Films Commission, it is understood here on good authority.

The chief obstacle to the plan appears to be the stipulation of Sir Andrew Duncan, president of the Board of Trade, that secrecy be maintained in the negotiations. The whole pro-

(Continued on page 3)

FURTHER DELAY SEEN ON DECREE

U. S. Court Hearing Postponement Appears Inevitable Due to Lack of an Agreement At Washington Conference Yesterday

A further delay in submitting the proposed consent decree to the Federal court for approval appeared inevitable last night due to the inability of representatives of the five consenting companies and the Department of Justice to reach an agreement on changes at a conference in Washington yesterday. The discussions will be resumed here tomorrow.

Federal Judge Henry W. Goddard has set next Tuesday for a hearing on the decree in the event that it is conclusively drafted by that time.

In the absence from Washington of Assistant Attorney General Thurman W. Arnold, the company heads and attorneys met with Wendell Berge, his assistant, and, according to Department officials, were unable to reach a definite agreement on important points. The meeting lasted three hours.

After the meeting, Berge said he would make no recommendations to Arnold or Attorney General Robert P. Jackson until the group had reached an accord.

Present at the Washington conference were George J. Schaefer, president of RKO; Nicholas M. Schenck, president, and J. Robert Rubin, vice-president and general counsel, of Loew's; Richard Dwight, attorney for 20th Century-Fox, and Bertram Shipman, Chase National Bank and National Theatres; Thomas D. Thacher and Austin C. Keough, Paramount;

(Continued on page 3)

20th-Fox Set On Program

HOLLYWOOD, Oct. 8.—Details of the new season's production program of 20th Century-Fox have been set at conferences of top company executives here, and Darryl F. Zanuck, vice-president in charge of production, today was given the "go ahead" signal.

Joseph M. Schenck, chairman of the board, issued the following statement: "Conferences were held today between President Sidney R. Kent, Darryl F. Zanuck, William Goetz and myself on the 20th Century-Fox production outlook for the coming year.

"Business prospects for the impending year seem promising from the viewpoint of theatre attendance and improving conditions.

"Zanuck has outlined his program for the coming year and his budget requirements. His prospective list of productions, based on story material already selected, was given our hearty endorsement and his budget requirements were approved."

Schenck said it will be recommended to the board that employes be given their jobs back on their return from military service.

W.B. to Hold Jobs For Drafted Men

Warner employes who are drafted or are members of the National Guard will be reemployed in their previous positions on the expiration of their period of military service, Harry M. Warner, president, announced yesterday.

In addition, all employes who have been with the company one year or more will receive two weeks' extra salary when they report for service, and consideration will be given to the payment of a monthly sum to the employe or his dependents.

'Dictator' Plays 2 Loop Spots Oct. 31

CHICAGO, Oct. 8.—"The Great Dictator," Chaplin-U. A. film, will open here Oct. 31 and play two theatres simultaneously, as in New York. The film will run on a reserved seat basis twice daily at the Apollo, with prices at $1.65 evenings and $1.10 matinees. It will play continuous run at the Roosevelt at $1.10 evenings and 75 cents matinees.

The terms are understood to be 70-30 per cent. Charlie Chaplin may make a personal appearance on the opening night.

Indianapolis Next Month

INDIANAPOLIS, Oct. 8.—"The Great Dictator" will play Loew's Indianapolis here, opening either the first or second week in November.

Reviews

"The Long Voyage Home"

(Wanger-United Artists)

FROM Eugene O'Neill's celebrated group of four plays has been fabricated a memorable and unusual motion picture, telling the story of the men in the forecastle of a tramp steamer, and telling at the same time, the story of many men in many places.

With some of the most compelling photography the screen has seen, the atmosphere of the O'Neill plays has been captured with remarkable skill and effect. To Gregg Toland, cameraman, must go a lion's share of credit for that phase of a notable picture.

The title of one of the four O'Neill plays has been used for the

(Continued on page 3)

"They Knew What They Wanted"

(RKO)

PLUCKED from its distinguished niche in the Hall of Fame of America's great legitimate stage plays, Sidney Howard's Pulitzer Prize winner, "They Knew What They Wanted," has been translated to the screen by producer Erich Pommer in moving and powerful terms. It is a strong story—intended neither for the squeamish nor the young—of futility and hope, of sordid passions and idyllic love, of tragic sin and epic forgiveness.

To Charles Laughton goes the honor of creating another mighty role, that of Tony Patucci, the simple grape grower who discov-

(Continued on page 3)

Fairbanks Estate

Douglas Fairbanks, Sr., who died last Dec. 12, left a gross estate of $2,472,060, and a net estate of $2,318,651, it was learned yesterday in Surrogate's Court when a motion was granted to declare him a non-resident and fix tax. In addition to considerable West Coast property, the estate includes trusts of $693,738 and $550,020 held by two New York banks.

Six New Theatres Opened in Atlanta

ATLANTA, Oct. 8.—Six new neighborhood theatres have been opened during the past month in Atlanta, each costing more than $60,000.

They are the Euclid, the DeKalb and the Gordon of the Lucas & Jenkins circuit; the Decatur and the 5 Points by Mion and Murray, and the Russell by the East Point Amusement Co.

Freeman to Memphis

HOLLYWOOD, Oct. 8.—Y. Frank Freeman, Paramount studio chief, and Bob Hope, will leave by plane tomorrow for Memphis where they will be honor guests at a Red Cross benefit entertainment. M. A. Lightman of Malco Theatres will be the host.

Universal Casts Boyer

HOLLYWOOD, Oct. 8.—Charles Boyer has been signed by Universal to appear opposite Margaret Sullavan in a remake of "Back Street."

Personal Mention

JACK L. WARNER, vice-president in charge of production for Warners, is in town for conferences at the home office.

•

ABE MONTAGUE, Columbia general sales manager, has returned from a visit to the studio. JACK COHN and ABE SCHNEIDER are expected from the Coast this weekend.

•

HERMAN FINKELSTEIN and LOUIS D. FROHLICH, Ascap attorneys will leave for Omaha tomorrow for a hearing there Saturday in connection with Nebraska anti-Ascap litigation.

•

FRED LANGE, Paramount Continental European manager, has reservations on the *Clipper* leaving for Lisbon tomorrow.

•

GEORGE RICHFIELD, representative of Select Attractions, Inc., is en route to England via Clipper, to discuss with PAUL L. STEIN the production of films in this country.

•

RICARDO CORTEZ is in town from Hollywood.

•

ROBERT THOMAS of the Comerford, Wilkes-Barre, Pa., was married recently to MARY ELLEN EDWARDS in Wilkes-Barre.

•

EDWARD RYAN has resigned as assistant manager of the Capitol, Mauch Chunk, Pa., to enter another business. He is succeeded by JAMES MOORE, JR.

ROBERT M. GILLHAM, Paramount advertising and publicity director, will return from Washington today after arranging for screenings there of "The World in Flames."

•

ARTHUR HOPKINS, WILLIAM ORR, TOBY GRUEN, FRED LANGE, OWEN DAVIS, ED SAUNDERS, BEN BLUE, ADOLPH ZUKOR, BARNEY BALABAN, MAX COHEN and TOM CONNORS at Nick's Hunting Room in the Astor yesterday for lunch.

•

MARTIN MOSKOWITZ, HAL HORNE and JOSEPH PINCUS lunching yesterday at Lindy's (51st St.).

•

EMANUEL SILVERSTONE, AL MARGOLIES and IRVING SHAPIRO at Lindy's (next to the Rivoli) for lunch yesterday.

•

PAT SCOLLARD, COLVIN BROWN, IRVING WORMSER, LOU WEINBERG, CHARLES BONN, WILLIAM GERMAN, MAX WEISFELDT, MARVIN SCHENCK, ARTHUR LEE, MAURICE BERGMAN and JOSHUA LOGAN lunching at the Tavern yesterday.

•

STANTON GRIFFIS, JOHN BARRY, LEON NETTER, LOUIS PHILLIPS, HERMAN WOBBER, RICARDO CORTEZ, PHILIP REED, SAM SHAIN, JOHN GOLDEN, BROCK PEMBERTON, MORRIS GEST, SIDNEY PHILLIPS, ROY ROBERTS, RUTH GORDON, ANTOINETTE PERRY, BUD FREEMAN and MRS. SIME SILVERMAN having lunch yesterday at Sardi's.

•

HILDA LESSER RICKLES, secretary to ED SAUNDERS at M-G-M, has a birthday today.

•

MILTON BRAUMAN, Pittsburgh salesman for M-G-M, is celebrating his 11th year with the company.

Loew-Lewin Names Buchanan Agency

David L. Loew-Albert Lewin, Inc., producing for United Artists release, have appointed Buchanan & Co., Inc., as its advertising agency. The first Loew-Lewin production to be released through U. A. will be "Flotsam."

Party for George Jessel

There will be a party at Toots Shor's restaurant this afternoon for the George Jessel company which will open at Loew's State tomorrow. Guests will be Mr. and Mrs. George Jessel, Rochelle Hudson, Jean Parker, Isabell Jewell, Steffi Duna, Lya Lys, Jean Gray and Betty Jane Cooper.

Two Join M-G-M

M-G-M has added two men to the field representatives' staff. Louis Hellborn will handle exploitation in the Omaha and Des Moines territories, and Gene Rich has been named assistant to W. G. Bishop in the Chicago territory.

Roosevelt May Be Called

WASHINGTON, Oct. 8. — James Roosevelt is subject to call for active duty in the Navy's projected mobilization. He is a Captain in the Marine Reserves.

Newsreel Parade

A CONSIDERABLE amount of war news is in the new issues which, with views of the Presidential candidates, World Series, football and other live events, add up to interesting releases. Contents follow:

MOVIETONE NEWS, No. 9—England: Churchill on the Thames; business continues in London; motorcycles as defense units; old pans used in plane production; R. A. F. in counter attack; air raid destruction. Roosevelt at Hyde Park. Willkie in Pittsburgh. Lion taming. Secretary Knox in Washington. Duchess of Luxembourg arrives here.

NEWS OF THE DAY, No. 207—R. A. F. intensifies attacks. London shops remain open. Churchill on the Thames. H. G. Wells arrives. Roosevelt discusses education. Willkie talks on security. World Series. Football.

PARAMOUNT NEWS, No. 12—Midget army truck tested. British children arrive here. Willkie on tour. Al Smith speaks for Willkie. Roosevelt at Hyde Park school dedication. American destroyers arrive in England. Ambassador Kennedy views bomb destruction. Survivors of torpedoed ship in Scotland. Fires in London. Londoners seek shelter in subways. Football.

RKO PATHE NEWS, No. 12—Londoners find safety in subways. U. S. destroyers arrive in England. Willkie in Pittsburgh. Skeet shooting at West Point. Football.

UNIVERSAL NEWSREEL, No. 917—Destruction in London after air raid. Survivors of torpedoed ship in Scotland. U. S. Destroyers arrive in England. Churchill on the Thames. Willkie in Pittsburgh. Roosevelt in Hyde Park. Duchess of Luxembourg arrives. New army truck tested. World Series. Football. "Knute Rockne" premiere in South Bend.

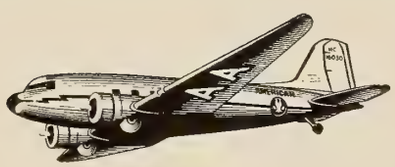
Laughton Starting Appearance Tour

SAN FRANCISCO, Oct. 8.—Charles Laughton, star of RKO's "They Knew What They Wanted," produced by Erich Pommer, started a personal appearance tour tonight immediately following the world premiere of the film at the Golden Gate Theatre here. Laughton left immediately for Chicago, where the film opens at the Palace Friday. From there he will go to Detroit, and stop at other key cities en route East.

The film opened here tonight with a group of 40 players and press and studio representatives attending.

Michele Morgan to RKO

HOLLYWOOD, Oct. 8.—Michele Morgan, French actress, has been signed by RKO and will leave Lisbon for America Oct. 15.



CALIFORNIA

American's Southern Sunshine Route

5 FLAGSHIPS DAILY COAST-TO-COAST

★ It's only an overnight skysleeper trip to Los Angeles via American's Famous Sunshine Route! Delicious meals aloft. Stewardess service. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: Rockefeller Center, 18 W. 49th St.; Grand Central, 45 Vanderbilt Ave.

CONVENIENT DEPARTURES

The Sun Country Special 7:05 am
The Plainsman . . . 4:10 pm
The Mercury (Two Sections) 4:45 & 5:10 pm
The Southerner . . . 10:30 pm

AMERICAN AIRLINES *Inc.*

ROUTE OF THE FLAGSHIPS

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc.

Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

Para. Will Preview 'Arise' at Theatre

Paramount will preview "Arise My Love," new film starring Claudette Colbert and Ray Milland, at the Broadway Paramount tomorrow. Two screenings will be inserted into the theatre's regular program, one at 2:25 and the other at 7:10 P. M.

Consent Decree to Be Studied by SAG

While taking no definite stand on the consent decree, the Screen Actors Guild believes that the issues involved are similar to those in the Neely bill and that "the situation must be closely watched in an effort to determine their relationship to the work of our own members," according to the current issue of *Screen Actor,* official Guild publication.

Operating surplus for the year ending Oct. 31 should be $2,697, it was estimated. Surplus on hand as of Aug. 31 amounted to $175,989, of which $58,375 represented loans receivable; $51,650, cash; $51,328, securities, and $16,989, property and equipment. Salaries for 10 months ending Aug. 31 for executive, representative and general personnel were the largest single item of expenditures, amounting to $100,507.

The fight with the I.A.T.S.E. a year ago cost S.A.G. $12,000 after adjusting for the debt of the Associated Actors and Artistes of America, which was cancelled.

SAG Sets Annual Meet Here Nov. 15

The New York Chapter of Screen Actors Guild will hold its annual meeting at the Hotel Edison Nov. 15. Besides reports of officers the major issue will be the election of five members of the advisory council for a term of three years. The nominating committee has suggested seven persons, Florence Auer, Florence Richardson, incumbents; Kirk Brown, Jr., Alexander Campbell, Bradford Kirkbride, Nellie Maloney and Gloria Pierre.

Petitions signed by 20 members may offer additional nominations before Oct. 25 and ballots may be returned by mail before Nov. 14.

Republic Closes Deals

Republic has closed with Fox Midwest Theatres for its product in the Kansas City territory. Elmer Rhoden and Lon Cox acted for the circuit, and James R. Grainger, Republic president, and Robert F. Withers, Kansas City franchise holder, represented Republic. A deal also has been closed with Commonwealth Theatre Circuit.

Dissolve Theatre Firm

DOVER, Del., Oct. 8.—Griffith Dickinson Theatres, Inc., a Delaware corporation operating theatres in Kansas, Missouri and Nebraska, has been dissolved. The Griffith Dickinson Realty Co., a Delaware corporation, also has been dissolved.

Reviews

"The Long Voyage Home"

(Wanger-United Artists)

(Continued from page 1)

film. Dudley Nichols, who wrote the screenplay, did a splendid job of interweaving the substance of the plays into a well-rounded and smooth-flowing story, while John Ford adds still another laurel to his already heavy wreath with brilliant direction.

Interpreting the men whose lives are wedded to that of their big and slow-moving tramp steamer, traveling the seven seas endlessly, in calm and storm, in war and peace, are Thomas Mitchell, John Wayne, Ian Hunter, Barry Fitzgerald, John Qualen, Ward Bond and Wilfred Lawson, among others. Their performances, without a single exception, are of the finest. There is little to choose from among them, unless it be Mitchell, adding another to his long list of notable screen characterizations, as the big Irishman who is the leader of the men of the forecastle. Wayne, as the Swede bound for his farm home near Stockholm; Qualen, whose great ambition is to see that Wayne gets home; Hunter, the English gentleman who hides from himself in the forecastle; little Fitzgerald, whose Cockney speech imparts delightful bits of humor to an otherwise somber story; Lawson, the hard-bitten captain who loves his ship and protects his men, all offer superlative performances.

The ship leaves the Caribbean bound for the United States, there picking up a cargo of munitions much needed in England's struggle. On the long voyage home, the ship *Glencairn* runs into a terrible storm, itself a highlight of a picture crowded with splendid technical effects. Bond, seeking to secure an anchor broken loose, is injured and dies. He is buried at sea.

The ship enters the war zone. Hunter's actions appear suspicious to the crew, and he is suspected of being a spy, until a packet of letters reveals that he was once a war hero and that a wife and children are awaiting him. Nearing England the ship is the target of an enemy plane, and Hunter dies a hero's death attempting to free a lifeboat. On shore, the men get drunk, but recover in time to save Wayne from being shanghaied on another boat. But in the fight, Mitchell is knocked unconscious, and the ship sails with him aboard. One by one the men return to their ship, with the exception of Wayne, bound home, and Mitchell, whose ship, a headline recounts, has been torpedoed and sunk.

Running time, 105 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

"They Knew What They Wanted"

(RKO)

(Continued from page 1)

ered his love at a single glance and whose devotion towered above all that was mean and dirty. Add a laurel, too, for Carole Lombard, who succeeds in making Amy, the waitress, an understandable, warm human being despite shortcomings which in the hands of a less skillful performer might make the character utterly despicable. Indeed there are laurels for all in the cast—William Gargan, Tony's foreman and Amy's seducer, the third element in a bitter triangle; Frank Fay, the understanding padre; Harry Carey, the country doctor; and Janet Fox and Victor Kilian in lesser roles.

Garson Kanin directed in a manner calculated to highlight all the subtle motivations of characters who acted according to their lights, albeit mistakenly at times. Tony sees Amy while dining in a restaurant and starts a correspondence with her. Finally, he asks Amy to marry him, offering as an inducement $15,000 in a bank and a large ranch. Amy, tired of her hard lot, accepts, especially when she sees Joe's picture, which she thinks is Tony's.

After the confusion caused by the switch in pictures is cleared, an accident delays the wedding. During the interval, although both are devoted to Tony, Joe seduces Amy. After a fit of fury, Tony forgives her, however, and the film fades out with Amy leaving to have her baby and return to Tony later.

Harry E. Edington was executive producer. Robert Ardrey contributed the screenplay. Although all the difficult sequences are handled with tact and without the suggestion of offensiveness, the story for obvious reasons is not for children.

Running time, 96 minutes. "A."* EDWARD GREIF

**"A" denotes adult classification.*

Dismiss Settos Suit

LOUISVILLE, Ky., Oct. 8.—A dismissal order was filed in Circuit Court here today in the action of William Rosenthal, one of three partners in the Settos Circuit, seeking to dissolve the partnership and asking appointment of a receiver for the circuit. The other two partners are George Settos and Frank M. Krapp.

MPTO Delays Meeting

NEW HAVEN, Oct. 8.—The Connecticut M. P. T. O. has postponed its regular luncheon-meeting from Oct. 21 to Oct. 28, at Ceriani's, with Arthur H. Lockwood presiding.

More Delay Arises for U. S. Decree

(Continued from page 1)

and Joseph H. Hazen and Robert W. Perkins, Warners.

Arrangements for dismissing the consenting companies from the Government's anti-trust suits pending in Buffalo, Nashville and Oklahoma City were believed advanced during yesterday's meeting with the Department of Justice.

Also, either the dismissal of the Balaban & Katz and Fox West Coast consent decrees or their revision to conform with the New York suit decree were discussed.

A tentative agreement to revise the B. & K. decree to conform with the New York decree was reached by Paramount and the Government about 10 days ago but Paramount has continued to urge the dismissal of the Chicago decree on the ground that, with two decrees in effect, there would be some danger that B. & K. or distributors might find themselves in contempt of one decree as a result of having complied with the terms of the other.

Paramount also contends that the Government contempt actions against B. & K. and Barney Balaban for violation of the Chicago decree should be dismissed. A hearing on those actions is now pending in Chicago.

Films Commission Plan Faces Snag

(Continued from page 1)

posal now has been referred back to the Board of Trade by the Films Council committee with strong recommendations. These in effect ask that the board give evidence of the need and justification of such a commission as is contemplated, and suggest that if these are accepted as adequate the plan should be presented to the industry itself, and not to an independent body, bound to silence.

Meanwhile, the war situation apparently has developed as a major obstacle to the formulation of a Films Credit Bank, originally planned some time ago. The appointment of a new president of the Board of Trade may provide an additional obstacle, although the whole scheme has not been abandoned altogether. The Films Council's annual report is expected next week.

Chicago Groups Seek U. S. Film Ban Lifted

CHICAGO, Oct. 8.—Groups representing women's clubs and civic organizations under sponsorship of the Chicago Civil Liberties League today viewed "The Fight for Life," Government-produced film, at a screening, and a delegation will confer with Police Commissioner James Allman tomorrow in an effort to have the local censor ban lifted.

I VISITED THE M-G-M STUDIOS!

By An Exhibitor

FOR years I've read about the
STUDIO that makes the hits!
UNTIL you see it with your own eyes
YOU don't know
THE half of it!
I SAW acres of activity, factories, mills—
I SAW power plants, office buildings—
I SAW miles of clean, wide streets
LINED with huge stages where
DREAMS come true!
I FOUND STABILITY! SECURITY!
I surveyed this exciting scene with the
PRIDE of partnership for truly
THE solidity of this Studio is
A cooperative responsibility
BETWEEN the men who make the pictures and
WE who exhibit them.
I WAS at the preview of

(continued above

(*continued*)

"THIRD Finger, Left Hand" (*Myrna Loy, Melvyn Douglas*)
I roared with that howling audience and
I predict it will top "I Love You Again."
I SAT with the first enthralled public to see
"ESCAPE" that great film from a great book!
(*Norma Shearer is the Countess, Robert Taylor is the lover.*)
I laughed and wept at Judy Garland's
"LITTLE Nellie Kelly" a darling of a show.
I attended the historic preview of
"THE Philadelphia Story," (*a New Year's Gift!*)
HERE is box-office entertainment that
SPARKLES with fun, romance and
CAST! (*Cary Grant, Katharine Hepburn, James Stewart*)
I SAW "Bitter Sweet" in the projection room!
SUCH opulence of Technicolor spectacle has
NEVER before graced the screen
SUCH music (*Jeanette MacDonald, Nelson Eddy*) has
NEVER been heard since magic sound began!
I'M thrilled to return to my theatre
INSPIRED by the infectious pep of M-G-M
BY my talks with its down-to-earth
PRODUCING staff, directors, executives!
BY the many M-G-M stars and by the
AMAZING group of young stars on the way UP!
I SAW the smoothest functioning organization
THAT the amusement world has ever known.
I'VE just signed a contract for 1940-41
WITH the one and only outfit
THE Friendly Company of M-G-M!

CRITICS GO

WALTER WINCHELL:

"Orchids to Columbia's flicker, ANGELS OVER BROADWAY...a hit by Hecht!"

BOSTON GLOBE... *By Mayme Ober Peak:* "Wonderful picture, one of the most refreshing evenings this reviewer has ever spent in a theatre. Hecht's writing, direction genuinely vital. Fairbanks gives greatest performance of career!"

BALTIMORE SUN... *By Jessie Henderson:* "One of the best pictures I've ever seen in my life. An inspiration and a shot in the arm for the whole movie business!"

INTERNATIONAL NEWS SERVICE... *By Milt Harker:* "Excellent...with superb performances. Smart dialogue, gripping suspense, outstanding photography. One of the best!"

NORTH AMERICAN NEWSPAPER ALLIANCE... *By Sheila Graham:* "Congratulations on a refreshing, different movie. Enjoyed enormously!"

LOS ANGELES TIMES... *By Philip K. Scheuer:* "Imaginative. Cast all swell. Mitchell got the hand deservedly!"

LOS ANGELES NEWS... *By Virginia Wright:* "Vivid melodrama. Full of lively wit, suspense!"

SCREEN & RADIO WEEKLY... *By Grace Wilcox:* "Swell picture, superlative acting!"

GEORGE FISHER, *radio commentator:* "ANGELS OVER BROADWAY belongs on must see list!"

SHOWMEN'S TRADE REVIEW... *By Harry Mills:* "ANGELS OVER BROADWAY is a distinct triumph!"

OVERBOARD!

LOS ANGELES EXAMINER... *By Dorothy Manners:* "Hecht at his melodramatic best. Mitchell marvelous. Best thing Fairbanks has done. Hayworth lovely. Want to say emphatically that ANGELS OVER BROADWAY is one whale of a picture!"

ST. LOUIS GLOBE-DEMOCRAT... *By Monroe Lathrop:* "Masterpiece. Held this reviewer spellbound. Hecht's directing, writing, seldom equalled on the screen!"

ASSOCIATED PRESS... *By Ted Gill:* "Most refreshing movie seen in long time. Beautiful performance by Douglas Fairbanks, Jr., Hayworth, Mitchell, Qualen. Hecht at best. An absolutely MUST SEE picture!"

BOXOFFICE... *By Ivan Spear:* "Distinctly different, with praiseworthy performances!"

QUIGLEY PUBLICATIONS... *By William Weaver:* "Perfectly swell piece of entertainment. Should be surefire boxoffice!"

JAY EMANUEL PUBLICATIONS... *By Warren Stokes:* "Dramatic masterpiece in celluloid. Direction, photography tops. Most brilliant dialogue ever recorded. Academy calibre performance by Mitchell!"

LOS ANGELES TIMES... *By Hedda Hopper:* "One of the most human stories that ever found its way to films. You won't want to miss ANGELS OVER BROADWAY!"

FAWCETT PUBLICATIONS... *By Duncan Underhill:* "It's arresting...terrific!"

BELL SYNDICATE... *By Bernard Thompson:* "Whale of a good picture!"

PICTURE PLAY... *By Ted Magee:* "Fulfills every advance promise!"

COLUMBIA PICTURES

NBC Makes Several New Major Shifts

Frank E. Mason will remain with NBC as vice-president in charge of the information department, although he will be relieved from his supervision of the international short wave division, Niles Trammell, president, disclosed yesterday.

Several Changes

Several executive shifts were also announced yesterday following the disclosure late last week that John F. Royal, vice-president formerly in charge of programs would assume charge of short wave, television, frequency modulation and facsimile.

Lunsford P. Yandell, executive in charge of short wave sales, has been promoted to the post of manager of the international short wave department.

Sidney N. Strotz, vice-president in charge of the central division will succeed Royal as vice-president in charge of programs on Oct. 15. Harry C. Kopf, sales manager in Chicago, will succeed Strotz.

Morgan Handles Promotion

Clayland Morgan, now assistant to the president and in charge of public relations, has been made director of institutional promotion.

All vice-presidents will be required to report to Frank Mullen, vice-president and general manager, while all short wave, television, frequency modulation and facsimile heads will be responsible to Royal.

Foreign Air Shows To Be Investigated

(*Continued from page* 1)

nouncers departed from prepared scripts to inject propaganda, it was charged, and few stations kept check to see if announcers or performers varied from the script.

More recently, however, many stations have resorted to unscheduled off-the-air recordings when listener complaints indicated that there might be an effort to inject propaganda.

Stations in New York which use foreign language broadcasts include WEVD, WOV, WBNX, WHOM, WVFW, WARD, WWRL and WBBC.

Hockey Games on WHN

WHN will broadcast all home hockey games of the Rangers and Americans for the second year, under the terms of contracts which will be signed tomorrow evening. Pabst Blue Ribbon beer will sponsor. Gillette Safety Razor Co. sponsored the show last year. Bert Lee and Dick Fishell will handle the play-by-play and color.

Form Bowling League

WILKES-BARRE, Pa., Oct. 8.—Employes of Comerford Theatres in this city have organized a bowling league. Teams and managers are: Capitol, Fred Lee; Comerford, William Toslin; Penn, James McHugh; Irving, John Dermody; Orpheum, Leo Hill; Hart-Shawnee, William Keating.

Refugee Children To Talk to Parents

Refugee children will be able to speak to their parents in Europe every two weeks through NBC, A. A. Schecter, special events director, announced yesterday. Two-way conversations will be broadcast over "Newsroom of the Air" on the Red network, which is heard Mondays through Saturdays at 7:15 P.M.

Miller to Discuss Ascap-BMI Dispute

WASHINGTON, Oct. 8.—Officials of NAB today were considering a suggestion by Fred Waring that a conference between NAB officials and his band leaders' group be held to work out a settlement of the ASCAP-BMI dispute. It was indicated that the musicians' proposal would be accepted. Neville Miller, NAB president, said, however, that before responding to Waring's letter, he would have to confer with other officials.

Equity Drops Dues From Drafted Men

National defense measures and the political campaign dominated a meeting of Actors Equity council yesterday.

After ruling that all Equity and Chorus Equity members would be excused from the payment of dues during the period spent in the armed forces, the council appointed Maida Reads to discuss the entertainment policy for camps and cantonments with the War Department. Equity wishes to have its own members used for such entertainments and the council cited its successful record in the CCC camps.

The council clarified the recent Theatre Authority ruling which held that all performers must be paid for appearances at political rallies by stating that this ruling applied only to dramatic performances. In the case of personal appearances or speeches in an individual capacity, no payment need be made. The council also disavowed support of Morris Watson, American Labor Party Congressional candidate, who is campaigning on a pledge for a national theatre. It was pointed out that Equity never endorses candidates.

Kellenberg Heads Pittsburgh Club

PITTSBURGH, Oct. 8.—C. C. Kellenberg has been elected chief barker of the local Variety Club. Burtus Bishop, Jr., has been elected first assistant; Michael N. Shapiro, second assistant; Mort England, treasurer; Al Weiblinger, secretary. Directors are: James G. Balmer, I. Elmer Ecker, M. J. Gallagher, Brian McDonald, M. A. Rosenberg, Tony Stern. National delegates are Harry Thomas and James Totman.

Plan 12th Annual Banquet

PITTSBURGH, Oct. 8.—Committee chairmen for the local Variety Club's 12th annual banquet, to be held Oct. 20 at the William Penn Hotel, were announced by General Chairman John H. Harris, and Assistant Chairmen James G. Balmer and Harry Kalmine. They are Burtus Bishop, Jr., Harry Feinstein, Herbert A. May, Harold C. Lund, Rosey Rowswell, Elmer Ecker, Larry Katz, Ben Brown, Frank J. Harris, Harry Kramer, M. J. Gallagher, George D. Tyson, James Totman, Ira Cohn, C. C. Kellenberg, Arthur Levy, William Stitler, William Zeilor, John O. Hooley, Ray Downey, Red Cowell, J. T. McGreevey, Al Kerkhan, Brian McDonald, F. R. Pinner, Harry Kalmine, and William Gardner.

Speakers at the banquet will be James Roosevelt, Charles Laughton, Senator James of Pennsylvania, James Crowley, Fordham coach; Texas Attorney General William McGraw, Mayor Cornelius Scully. Ozzie Nelson, Harriet Hilliard and a radio show will contribute to the entertainment.

The banquet price will be $10 plus $1 tax. As in former years, nationally prominent personalities from the fields of entertainment, politics, and business will headline the program.

Theatre Changes

Buys Pacific Coast Theatre

EL MONTE, Cal., Oct. 8.—The Valley Theatre, formerly known as the Rialto, has been purchased by James Edwards.

Reopens California House

ARBUCKLE, Cal., Oct. 8.—Don L. Buckman, who recently purchased the Arbuckle Theatre, has reopened the house after redecoration.

Rebuild Burned House

FALLON, Nev., Oct. 8.—Reconstruction has begun on the Fallon Theatre, owned by Walter Hull, which was destroyed by fire recently.

Bright Assistant in Bronx

Jack Bright has been appointed assistant manager of Leff's Freeman Theatre, Bronx.

Cincinnati Suburban Opened

CINCINNATI, Oct. 8. — The Roselawn, suburban house, has been opened by Maurice Chase.

Sparrow to Springfield

SPRINGFIELD, Mass., Oct. 8.—Boyd Sparrow, formerly of Loew's, Wilmington, has been appointed assistant at the Poli here, succeeding John Wolfberg, resigned.

Resort House Is Closed

Following Summer operation, the Boardwalk, Arverne, L. I., has closed for the Winter.

Redecorate Warner House

SOUTH NORWALK, Conn., Oct. 8.—Warner's Rialto will be redecorated and recarpeted.

Baker Visions FM as Newest Video Problem

Frequency modulation transmission for television has entered into the consideration of standards, Dr. W. R. G. Baker, head of the National Television Systems Committee, reported to the Radio Manufacturers Association at the Hotel Roosevelt yesterday, and may cause a delay in the adoption of standards by the industry. However, the NTSC is still hopeful of meeting the Jan. 1 deadline, he said.

Color a 'Minor' Factor

Color television is only a minor factor as compared with FM television, as far as standards are concerned, according to Baker. He emphasized that this was his personal opinion.

There is little hope for unanimous consent on the major phases of standards, Baker disclosed, but he believes that agreement will be so substantial as to leave no room for doubt that the bulk of the industry is behind any standards ultimately adopted.

See Color Television

RMA members witnessed a demonstration of color television at CBS studios yesterday in the company of FCC Chairman James L. Fly who later was their guest at an informal dinner.

Plans were made for the 17th annual RMA convention and trade show at Stevens Hotel, Chicago, June 10-11.

A committee will be appointed to draft standards for advertising copy to be used by RMA members. Committees will also be appointed for cooperation on the national defense program.

Survey Backs Radio Ban on Communists

Results of a Gallup Poll disclosed yesterday show that a majority of Americans are against allowing Communist party candidates the same amount of time on the radio as candidates of other parties. Seventy-one per cent of the responses given were against this. Also, 63 per cent of those questioned believed that Communists should be allowed no time at all.

Heads Seattle Union

SEATTLE, Oct. 8. — Frank McCormick, former assistant manager of Hamrick-Evergreen's Coliseum, has been appointed business agent of the Seattle theatre employes' union. He succeeds Lawrence Wicklund, who resigned recently to become assistant to the manager of the city auditorium.

Altshuler to K.C.

KANSAS CITY, Oct. 8.—Irving Altshuler, auditor at the home office of Columbia, has arrived here to replace Zack Beiser, office manager. Beiser, lieutenant in the 110th Engineers, has been called for a year's duty.

Italian Film Opens

The Italian film, "Carnival of Venice," will open tomorrow at the Cinecitta Theatre. Distribution will be handled by Esperia Film Distributing Co.

FILE COPY
DO NOT

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 72 NEW YORK, U. S. A., THURSDAY, OCTOBER 10, 1940 TEN CENTS

AGVA Pact Provides for Wage Raises

Chorus Members Will Get $7.50-$10 More a Week

Under final terms of a contract covering vaudeville and stage presentation performers in New York City and vicinity agreed upon yesterday at a meeting of circuit heads with the American Guild of Variety Artists, chorus members will receive increases of upwards of $7.50 weekly for the first year and $10 weekly thereafter. The contract provides for chorus members to receive $37.50 weekly for one year and $40 beginning the second year.

Principals and specialty performers are to receive $60 weekly; assistant to principals and vocalists with bands, $50; and supernumeraries, $30. The contract may be signed Friday or early next week and will go into effect at once. It will remain in force until Sept. 30, 1943, and

(*Continued on page 5*)

Whitney and Young Head Defense Unit

WASHINGTON, Oct. 9.—James W. Young, director of the Bureau of Foreign and Domestic Commerce, today was appointed by Nelson A. Rockefeller, coordinator of commercial and cultural relations between the American Republics, as director of the Division of Communications with supervision of the motion picture, radio and press programs of that branch of the National Defnse Council.

John Hay Whitney will assist Young as director of the Division of Motion Pictures.

The appointments were made as plans progressed for the development

(*Continued on page 5*)

Some Book 'Police' At Higher Scales

Following the opening of "North West Mounted Police," Cecil B. DeMille-Paramount film, in Chicago Oct. 24, Midwest exhibitors have booked the picture, several at increased admissions.

Fox Wisconsin will play the film at the Palace and Wisconsin theatres, Milwaukee, starting Oct. 25, at 65 cents top. The Great States Circuit

(*Continued on page 5*)

18 Recruits Sworn In at Buffalo House

Buffalo, Oct. 9.—Eighteen rookies for the U. S. Army were sworn into service tonight on the stage of the Twentieth Century Theatre.

Among them was William J. D. Dipson, 24, son of Nikitas D. Dipson, Batavia and Buffalo circuit head. He enlisted in the Quartermaster Corps and is being sent to Mitchell Field, L. I.

Last week the elder Dipson was named to the Genesee County draft board.

Stations Ban Publicity on Fascist Films

Foreign language radio stations have ceased giving publicity to German or Italian motion pictures as part of the program to stop subversive propaganda, according to Joseph Lang, WHOM general manager, who heads the industry committee of foreign language stations.

The reason for the refusal to give further publicity to such films, according to Lang, is that they are frequently disguised propaganda efforts. He pointed out that the film itself may be entirely free from Nazi or Fascist doctrines but the theatre may be showing another feature or newsreel which contains propaganda.

The committee was formed last August by the National Association of Broadcasters and includes non-

(*Continued on page 8*)

U.A. JOINS AGAINST CONSENT DECREE

Pact Protest In Cleveland

CLEVELAND, Oct. 9.—Independent exhibitors of Cleveland representing 57 theatres today sent a petition to Attorney General Robert Jackson and Assistant Attorney General Thurman Arnold protesting the block-of-five clause in the proposed consent decree and asking for a 20 per cent cancellation instead.

The petition read in part: "Adoption of the five-picture clause will cause inestimable chaos and multiply manifold the disadvantages under which independent theatre owners operate their theatres, and will not only increase film rentals but prevent elimination of undesirable pictures.

"The undersigned independent theatres of Cleveland therefore protest the inclusion of the foregoing provision in the decree and urgently recommend that the decree provide for a clear-cut, sincere, honest 20 per cent cancellation clause applicable to all groups of pictures leased."

Those signing were Community Circuit, 10 theatres; Associated Circuit, 10 theatres; Gusdanovic Circuit, four; Scoville, Essick, Reif Circuit, seven; Abe Kramer, four; S. H. Stecker, eight; Charles Gottlob, three; Ernest Schwartz, three; John Urbansky, two; Frank Porozynski, two; Henry Glaab, two, and Oscar Stotter, two.

Considers Court Action With Columbia and 'U'; U. S. Sees Delay

United Artists lawyers yesterday joined attorneys for Columbia and Universal to further consider the possibility of their taking legal action to oppose the proposed consent decree in the Federal Court. No decisive action resulted from the meeting, however, because of the fact that the decree is not yet in final form. The possibility also exists of similar action in opposition to the decree from Paramount theatre associates.

Meantime, Government attorneys yesterday confirmed the belief that there is no possibility of the decree being presented to Federal Judge Henry W. Goddard at the hearing scheduled for next Tuesday. In fact, it was said, the decree may not be ready for the court "for several weeks."

No unanimity of views exists among the three non-consenting companies as

(*Continued on page 5*)

New Haven Houses Raise Admissions

NEW HAVEN, Oct. 9.—Six neighborhood houses will raise their top evening admissions from 25 cents plus tax, to 27 cents plus tax, or 30 cents total, beginning Sunday. These include the Fishman Dixwell Playhouse, Howard, and Lawrence, Bailey Bros.' Whalley and Whitney, and Strand in Hamden, operated by Adolph Johnson and A. Robbins. Prices have been 25 cents top since 1932. Other houses may follow. Eight neighborhood houses remain at the 20-cent level.

U.S. Will Aid British Films If Currency Is Adjusted

LONDON, Oct. 9.—American major companies here are willing to continue in their efforts to help maintain British production provisional upon a reciprocal adjustment of the existing monetary exchange regulations.

The current agreement on currency exchange will expire on Oct. 31, and negotiations have been in progress concerning the terms of a renewal agreement.

Fayette Allport, London representative of the M.P.P.D.A., and representatives of seven major companies held an informal luncheon and discussion today with three leading members of the Film Department of the British Board of Trade.

Current difficulties in the making and marketing of major English films were discussed, with the Board expressing sympathy for the company's situation and suggesting means of overcoming the obstacles. They promised to do all they could to facilitate production. It is understood the chief difficulties are limited studio space available and casting problems, as well as increasing production expense.

New Rules Adopted For D. C. Operators

Washington, Oct. 9.—Regulations governing motion picture operators, calling for a technical examination or other proof of their qualifications and an annual license fee of $10, have been adopted by the District of Columbia Commissioners, to become effective Nov. 1.

To Honor Walker

Scranton, Pa., Oct. 9.—Lackawanna County Democrats have completed plans for a testimonial dinner for Postmaster General Frank C. Walker. No date or place has been set. It is planned to have former Postmaster General James A. Farley and Democratic National Chairman Edward J. Flynn as guest speakers.

Discuss Sabotage At Dinner on Coast

HOLLYWOOD, Oct. 9.—Representatives of 300 educational, religious, veterans' and patriotic organizations will meet tomorrow night at a dinner at which, it is announced, "moves of un-American interests to sabotage national defense on the West Coast" will be "exposed."

The event will be held at the Goldwyn Studios, with Dr. John R. Lechner, C. B. DeMille and Joseph Scott as chief speakers. Edward Arnold will be master of ceremonies and Reginald Denny will be program chairman. Lechner is executive director of the American Education League and secretary of the public relations committee of the American Legion Department of California.

Roosevelt to Keep Up His Production

HOLLYWOOD, Oct. 9.—James Roosevelt, who is expected to be mustered into service for active duty about Nov. 1, will continue his production activities, it was said here today. Roosevelt is a Captain in the 22nd Battalion of the Organized Marine Corps Reserve in the Los Angeles district.

W. S. Van Dyke, director, who is a major in the Marine Reserve, has received "standby" orders.

Associates to Weigh Club Affiliation

The affiliation of the Motion Picture Associates with the National Variety Clubs as a New York unit will be discussed today by the executive board of the Associates at a meeting at Bob Bartti's Restaurant. The discussion was originally set for yesterday but was postponed.

A membership meeting of the Associates has been scheduled for Oct. 18 at Toots Shor's.

Bids for 'Dictator' Philadelphia Run

PHILADELPHIA, Oct. 9.—The management of the Erlanger here, legitimate theatre now dark, which has roadshown pictures in the past, is bidding for the local run of "The Great Dictator."

'Zorro' in Cincinnati

Twentieth Century-Fox will hold the world premiere of "The Mark of Zorro" at the Albee and Shubert in Cincinnati Nov. 1. Tyrone Power, star of the film, whose home town is Cincinnati, will make a personal appearance.

Personal Mention

MORT BLUMENSTOCK, head of Warner advertising and publicity in the East, left yesterday on a vacation.

•

EDWARD ALPERSON, theatre operator in the Midwest, is in town.

•

GEORGE VERNON LYNCH, head film buyer for the Schine circuit was married at Gloversville, N. Y., recently to MARION KEARNEY, daughter of MAJOR GENERAL and MRS. BERNARD J. KEARNEY.

•

MORRIS JOSEPH, Universal exchange manager in New Haven, is ill at Grace Hospital, New Haven.

•

HARRY L. GOLD, CHARLES STERN, HARRY KOSINER, LESTER SANTLEY, MAURICE BERGMAN, LOU POLLOCK, HANK LINET, MOE STREIMER and SAM CITRON at the Tavern yesterday for lunch.

•

FLOYD R. PUFFER, operator of the Cresco Theatre, Cresco, Ia., who recently sold the house, has left for a visit to the East with MRS. PUFFER.

•

RICHARD EDGE, manager of the Lyric, Chester Pa., is expected back this week from a California vacation.

•

JAMES J. SMITH of 20th Century-Fox has been elected executive secretary of the New Jersey League of Municipalities.

LOUIS PHILLIPS, Paramount home office attorney, will leave for Racine, Wis., tomorrow.

•

WILLIAM F. RODGERS, STANTON GRIFFIS, WALLY HOUSE, SAM SHAIN, EDDIE GRAINGER, ROBERT WEITMAN, HERMAN ROBBINS, JOSEPH BURSTYN, LOUIS DREYFUS and TOM CONNORS having lunch at Nick's Hunting Room in the Astor yesterday.

•

SI FABIAN, MILTON KUSELL, JACOB WILK, JOHN D. HERTZ, JR., TOM FIZDALE, SIDNEY PHILLIPS, ARTHUR KRIM, DAVE BLUM, LEO REISMAN, SIDNEY KINGSLEY, GUY BOLTON, BEN BOYAR and DONALD GIBBS at Sardi's yesterday for lunch.

•

ABE MONTAGUE, SOL EDWARDS, ED WOLFE and RUBE JACKTER lunching yesterday at Lindy's (next to the Rivoli).

•

JAMES MULVEY, JOSEPH MOSKOWITZ, JOSEPH PINCUS and J. J. MILSTEIN lunching at Lindy's (51st St.) yesterday.

•

EVAN JACOBS, head booker at the 20th Century-Fox Des Moines exchange, is the father of a son, born Tuesday.

•

GEORGE CAMPBELL, assistant booker at the Paramount Des Moines exchange, has returned to work after a six weeks' illness.

Paramount Partners Are Conferring Here

Paramount theatre partners, including E. J. Sparks of Florida, Robert Wilby of North Carolina, Fred Kent, attorney for Sparks, and Adam Adams of New Jersey, are in New York on business.

Harry David of Salt Lake City and Hunter Perry of Virginia, also Paramount theatre associates, left yesterday following conferences at the home office.

Foreign Press at 'Police' Screening

A foreign press preview of Cecil B. DeMille's Paramount film, "North West Mounted Police," was held last night at the Canadian Pavilion at the World's Fair. More than 40 representatives of overseas publications attended. Stanton Griffis, chairman of the Paramount executive committee, and John W. Hicks, Jr., vice-president in charge of the foreign department, were present.

Program Set for SMPE Convention

Several hundred technical men in the film industry from all sections of the country will gather in Hollywood for the Fall convention of the Society of Motion Picture Engineers, Oct. 21 to 25, inclusive, at the Roosevelt Hotel.

Recording and reproducing problems and related subjects such as television will feature the five-day convention. The 1940 Progress Medal and the Journal Award will be made at the 4th semi-annual banquet on Oct. 23. The Progress Medal is given for the year's outstanding contribution to screen technology, and the Journal Award is made for the best paper published in the SMPE *Journal* during the year.

First order of convention business will be the election of officers. The terms of E. A. Williford, president; N. Levinson, executive vice-president; J. I. Crabtree, editorial vice-president; W. C. Kunzman, convention vice-president; J. Frank, secretary, and R. O. Strock, treasurer, expire Dec. 31. With the exception of the secretary and treasurer, who serve one year, all the officers have served two-year terms of office to date.

Nine convention committees have completed arrangements under the direction of Williford and Kunzman. A program for delegates' wives has been arranged by a 20-woman committee headed by Mrs. L. L. Ryder.

Darryl F. Zanuck, 20th Century-Fox producer and chairman of the Research Council of the Academy of Motion Picture Arts and Sciences, will address the informal get-together luncheon on the opening day.

The eleven technical sessions of the convention will include the presentation and discussion of nearly 50 papers by leading technical experts of the industry's laboratories, studios and equipment manufacturing organizations. Studio visits are planned. An exhibit will feature new screen equipments.

Dickinson to Meeting

Arthur S. Dickinson, director of the conservation department of the M.P. P.D.A., leaves tomorrow for the S.M.P.E. meeting. He will visit exchanges en route and is due back Nov. 9.

No Bombing

Chicago, Oct. 9.

THE placing of ads in local newspapers by Tom Gorman, RKO Theatres district manager, stating that "Positively No Bombing Or War Pictures This Week" are being shown at the Palace and calling it "An All-Laugh Show," was responsible for one of the biggest weeks this theatre has had since vaudeville was dropped.

George Jessel Party At 'Toots' Shor's

About 100 persons attended a party at Toots Shor's restaurant yesterday for George Jessel and the members of his company which opens today at Loew's State on a bill with "Argentine Nights," first run Universal film.

Among those present were Oscar A. Doob, C. C. Moskowitz, Ernest Emerling, Ray Bell, Sam Shain, Tom Rogers, Al Rosen, James Wallington, Irene Thirer, Wanda Hale, Dorothy Masters, Cecelia Ager, Ed Levin, William Boehnel, Jerry Cohen, Harry Herschfield, Tom Pryor, Bosley Crowther, Ted Straus, Abel Green, Bob Considine, Gertrude Merriam, Nick Kenny, Phil Regan, Rose Levitan.

Also present were Jessel and his company of seven startlets, including Jean Parker, Rochelle Hudson, Isabel Jewell, Lya Lys, Steffi Duna, Betty Jane Cooper and Jean Gary.

Personnel Shifts Are Made by Fay

PROVIDENCE, Oct. 9.—Edward M. Fay, general manager and treasurer of the C. & F. Theatre Co., has set several changes of personnel in the Fay organization here. Fay's brother, Bernard E. Fay, is advanced from manager of the Majestic to assistant general manager and assistant treasurer of the company; Albert J. Clarke, former manager of the Carlton, has been named manager of the Majestic, and Jack Toohey, former assistant at the Majestic, goes to the Carlton as manager.

Coincident with the changes, Fay announced that the Majestic will be given a new marquee, the box-office moved from the lobby to the sidewalk, and that the house will be reseated and redecorated.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.



Painted by
Anton Otto Fisher,
famed illustrator of the
Tugboat Annie stories for
the Saturday Evening Post

SEA HAWK • NO TIME FOR COMEDY • CITY FOR CONQUEST • KNUTE ROCKNE ALL-AMERICAN

TUGBOAT ANNIE SAILS AGAIN'



ON THE CREST OF THE WAVE OF WARNER HITS!

...AND KEEP YOUR EYES WIDE OPEN FOR ROBINSON in 'A DISPATCH FROM REUTER'S' ON OCT. 19!

"TUGBOAT ANNIE SAILS AGAIN"
with
MARJORIE RAMBEAU · ALAN HALE · JANE WYMAN · RONALD REAGAN
Directed by LEWIS SEILER • Music by MAX STEINER
Original Screen Play by Walter DeLeon, • Based Upon Characters Created by Norman Reilly Raine

MOTION PICTURE DAILY'S BOOKING CHART

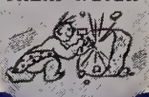
Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Sept. 13	Before I Hang (D) *Boris Karloff Evelyn Keyes*	Wyoming (D) 102 *Wallace Beery Leo Carrillo*			Girl from Havana (D) 017 *O'Keefe-Carleton*	Dreaming Out Loud (C) 102 Wagon Train (O) 181	Elsa Maxwell's Public Deb. No. 1 (C) 105	The Great Dictator (C) *Charles Chaplin*	Hired Wife (C) 50-06 Leather Pushers (D) 50-51	No Time for Comedy (C) *Stewart-Russell-Ruggles*
Sept. 20	Howards of Virginia (D) *Cary Grant Martha Scott*	Haunted Honeymoon (D) 104 *R. Montgomery*	That Gang of Mine (D) *Gorcey-Jordon*	I Want A Divorce (D) 4002 *Joan Blondell Dick Powell*	Colorado (O) 051 *Rogers-Hayes*	I'm Still Alive (D) 103 *Kent Taylor Linda Hayes*	Yesterday's Heroes (D) 116 *Sterling-Rogers*	The Westerner (O) *Gary Cooper Walter Brennan*	Mummy's Hand (D) Ragtime Cowboy Joe (O) The Fugitive (D)	City for Conquest (D) *James Cagney Ann Sheridan*
Sept. 27	Angels Over Broadway (D) *D. Fairbanks, Jr.* Glamour for Sale (D)	Strike Up The Band (M) 103 Sky Murder (D) 105	The Ape (D) 4001 *Boris Karloff*	Rangers of Fortune (O) 4003 *MacMurray P. Morrison*	Under Texas Skies (O) 062 *3 Mesquiteers*	Triple Justice (O) 086	Brigham Young (D) 107 *Tyrone Power Linda Darnell*	Thief of Bagdad (D) *Conrad Veidt Sabu*	Spring Parade (M) *Deanna Durbin Robert Cummings*	
Oct. 4	So You Won't Talk (C) *Joe E. Brown F. Robinson*	Dulcy (C) 106 *Ann Sothern Ian Hunter*	Drums of the Desert (D) *Ralph Byrd*	The Quarterback (C) 4004 *Wayne Morris Virginia Dale*	Frontier Vengeance (O) 072 *Don "Red" Barry*	The Villain Still Pursued Her (C) 105 *Herbert-Louise*	Gay Caballero 108 *Cesar Romero Robert Sterling*		Diamond Frontier (D) *McLaglen-Nagel*	Knute Rockne-All American (D) *O'Brien-Page*
Oct. 11		Third Finger Left Hand (C) *Myrna Loy Melvyn Douglas*		Cherokee Strip (O) 4005 *Richard Dix Florence Rice*	Melody and Moonlight (M) 005 *Johnny Downs*	Too Many Girls (M) 106 *Ball-Carlson*	Down Argentine Way (M) 113 *Don Ameche Betty Grable*		A Little Bit of Heaven (M) *Gloria Jean Robert Stack*	Father Is a Prince (C) *Grant Mitchell Nana Bryant*
Oct. 18	Nobody's Chlidren (D) *Edith Fellows Billy Lee*		Old Swimmin' Hole (D) 4010 *Moran-Jones*	Moon Over Burma (D) 4006 *Dorothy Lamour*	Hit Parade of 1941 (M) 001 *Kenny Baker Frances Langford*	Laddie (O) 107 *Tim Holt V. Gilmore*	Night Train (D) 114 *M. Lockwood Rex Harrison*		Slightly Tempted (C) 50-24 *Hugh Herbert*	Dispatch from Reuters (D) *Ed. G. Robinson Edna Best*
Oct. 25	West of Abilene (O) Girls Under 21 (D)	Hullabaloo (C) 109 *Frank Morgan Billie Burke*	Phantom of Chinatown (D) *Keye Luke*	Christmas in July (C) 4007 *Dick Powell Ellen Drew*	Young Bill Hickok (O) 052 *Roy Rogers*	They Knew What They Wanted (D) *C. Laughton Carole Lombard*	The Great Profile (C) 111 *John Barrymore*		Seven Sinners (D) *Marlene Dietrich John Wayne*	Tugboat Annie Sails Again (D) *M. Rambeau Alan Hale*
Nov. 1	Blondie Plays Cupid (C) *Penny Singleton Arthur Lake*	Escape (D) 108 *Norma Shearer Robert Taylor*	Oklahoma Bound (O) *Tex Ritter*	Dancing on a Dime (C) *Grace McDonald Robert Paige*	Who Killed Aunt Maggie (D) *John Hubbard Wendy Barrie*	Li'l Abner (C) 109 Too Many Girls (M)			I'm Nobody's Sweetheart (D) Island of Black Gold (D) 50-52	Lady With Red Hair (D) *Miriam Hopkins Richard Ainley*
Nov. 8		Bitter Sweet (M) *J. MacDonald Nelson Eddy*	Chamber of Horrors (D) *Leslie Banks*	Arise My Love (D) *Claudette Colbert Ray Milland*	Friendly Neighbors (M) *Weaver Bros. and Elviry*	Little Men (D) *Kay Francis Jack Oakie*	Mark of Zorro (D) 117 *Tyrone Power Linda Darnell*	Son of Monte Cristo (D) *Joan Bennett Louis Hayward*	Fireman Save My Child (C) *Baby Sandy Stuart Erwin*	Always a Bride (C) *Rosemary Lane*
Nov. 15	Beyond the Sacramento (O) Lone Wolf Keeps a Date (D)	Fighting Sons (D) *Jackie Cooper Bonita Granville*		Three Men from Texas (O) *William Boyd Russell Hayden*	Trail Blazers (O) *3 Mesquiteers* Meet the Missus (C)	Mexican Spitfire Out West (C) *Lupe Velez*	Street of Memories (D) 102 *Lynne Roberts*		Caribbean Holiday (M) *Nancy Kelly Alan Jones*	South of Suez (D) *George Brent Brenda Marshall*
Nov. 22	Passage West (D) *Pat O'Brien C. Bennett*	Little Nellie Kelly (M) *Judy Garland George Murphy*		North West Mounted Police (D) *Gary Cooper*		You'll Find Out (M) 108 *Kay Kyser and Orchestra*	Hudson's Bay (D) 115 *Paul Muni Virginia Field*	Long Voyage Home (D) *John Wayne Thomas Mitchell*	Meet the Wildcat (D) *Ralph Ballamy Margaret Lindsay*	The Letter (D) *Bette Davis Herbert Marshall*
Nov. 29	This Thing Called Love (C) *Rosalind Russell Melvyn Douglas*	Comrade X (C) *Clark Gable*				Kitty Foyle (D) *Ginger Rogers*	Youth Will Be Served (D) 119 *Jane Withers*		The Bank Dick (C) *W. C. Fields*	

PARAMOUNT SHORTS
Little Ones—Made Like BIG ONES



September 27
Stone Age Cartoon
'WAY BACK WHEN WOMEN HAD THEIR WEIGH'



October 4
Grantland Rice Sportlight
THE SPORTING EVERGLADES



October 11
Paragraphic
'NATURE'S NURSERY'



100%
BOX OFFICE TESTED
Paramount

Parent-Teachers To Censor Films

Camden, N. J., Oct. 9.—The parent-teacher associations in the south Jersey communities are appointing film censors, their duties being to visit all the houses in the area and select pictures fit for the children to see. Claiming that certain pictures with innocent titles are not fit to be seen, the voluntary censors have taken it upon themselves to see that the Saturday feature is satisfactory from beginning to end.

CEA Plans Fight On Early Curfew

LONDON, Oct. 9.—Undeterred by continued Nazi bombing raids, the wartime executive board deputized by the general council of the Cinematograph Exhibitors Association met at Reading today to discuss trade problems created by the current air war.

The most urgent problem is that of widespread early closing and curfew regulations imposed in various districts. It was contended that the regulations are unnecessary and destructive of the exhibitors' remaining trade and contrary to the Government's desire to retain public morale on a high level.

It was decided to ask the Ministry of Home Security to hear the exhibitor views and the organization probably will press for a needed uniform policy and less stringent rulings. It also was decided to ask the local C.E.A. branches to examine the Sunday opening situation and the Authors Association will ask the Government to facilitate the general Sunday opening of theatres.

The Home Office will be asked to permit very early morning opening hours for theatres as an aid to the exhibitor in recouping some of the trade lost by the habit of the population to go to the air raid shelters early in the evening.

Some Book 'Police' At Higher Scales

(*Continued from page* 1)

also plans higher admissions, the theatres and dates to be decided after the Chicago premiere.

Fred Dolle will play the film at the Rialto, Louisville, and Circle, Indianapolis. Admission prices will be decided today. The picture will open at the Michigan, Detroit, Nov. 21, with regular admission scales planned. The Butterfield Circuit has not yet decided the policy on the picture elsewhere in the state.

Whitney and Young Join Defense Unit

(*Continued from page* 1)

of an organization to work for the improvement of relations between Western Hemisphere countries. Rockefeller and his associates will work in cooperation with the film, broadcasting and publishing industries toward that end, but in no sense will attempt to set up a policy-making organization, it was explained.

A. G. V. A. Contract Provides Wage Raises for Performers

(*Continued from page* 1)

continue in effect from year to year thereafter unless either side gives 30 days notice of cancellation.

Thirty shows weekly is the maximum for small neighborhood theatres. At the State, Roxy, Paramount, Strand, Metropolitan, Paradise and Valencia the maximum may be 36 weekly but performers receive $2 extra per show per week. In the event more than 36 shows are desired, the performer must get an additional payment.

Major Circuits Included

Circuits included are Loew's, RKO, Fabian, Skouras, Warner, Brandt, Paramount and the Roxy. Although the contract covers New York City only, it will be used as a model for negotiating national agreements. The Radio City Music Hall was not included in the negotiations.

The agreement provides for all performers to be members of AGVA, but the union agrees to keep its books open to all except those suspended or expelled from the union, or those guilty of conduct unbecoming a union member. Existing contracts below the standards set forth must be brought up to the minimums but those with higher terms remain in effect. Performers must be paid for public auditions, and cannot be required to play benefits unless cleared by AGVA. Copies of contracts must be supplied to the union but the salaries of principals need not be specified.

There may be no deductions for layoffs or cancelled performances. Where an act is booked through an independent third party, such as agent, producer or owner of an act, such third parties must be franchised by AGVA and minimums must be observed. However, the theatre or circuit does not become liable in the event third parties do not observe minimums.

The booking charge of five per cent may be continued by those now charging it but the charge must not reduce the salary to that below the minimums fixed.

Except where the contract provides a specified time, either party can terminate a running contract on one week's notice. Wardrobes must be furnished by the employer, except to principals when the wardrobe is part of the act.

Higher Daily Minimums

Minimums for daily engagements are slightly higher than for weekly employment, with $10 for principals; $8.50 for assistants and vocalists; $7.50 for chorus, and $5 for supernumeraries.

Rehearsals must be scheduled and not last more than 10 hours weekly or three hours daily. Penalties are provided for delays in rehearsals. Members of the chorus are entitled to one week off in each six weeks, with pay.

In the event of disputes, each side must choose an arbitrator and the American Arbitration Association will chose the third. The union agrees to accept requests for waivers of conditions in the contract and to act upon them. The union agrees to use its efforts to have members abide by contract terms and reasonable house rules.

Bingo in Cincinnati Showing Increase

CINCINNATI, Oct. 9.—"Bingo swung into the Fall season with an increase over the Summer months," commented Police Chief Eugene T. Weatherly in his monthly report to City Manager C. O. Sherrill, which showed total attendance of 267,404 at 221 licensed parties in September. Gross receipts were reported as $199,503.16, prizes, $46,341.38, leaving net of $153,161.78 to sponsoring organizations. Average net cost per player was 57.3 cents.

August figures were 218 parties with attendance of 259,456; gross, $194,792.51; prizes, $46,455.02, and net, $148,337.49, with average cost per person, 58 cents.

Settles Suit for $2,000

Stipulation was filed yesterday in the U. S. District Court settling for $2,000 the $15,000 damage suit of Frederick Beck Patterson against Century Productions, Inc., Empire Laboratories, Inc., Bob-Ed Theatres Corp., Samuel Cummins, Richard Fiedler and Carveth Wells. Patterson charged the defendants with using part of the plaintiff's film "Shooting Big Game in Africa" in "The Jungle Killer."

'George' Opens Saturday

"Let George Do It," English film produced by Michael Balcon and released here by Film Alliance of the U. S., will open at the Globe Saturday. George Formby is starred.

Kuykendall Hits 'Secrecy'

ALBANY, Oct. 9.—Exclusion of exhibitors from the "secret sessions" at which the proposed Federal consent decree was evolved and the "summary" treatment accorded them at the Department of Justice Washington hearing on the decree were severely scored by Ed Kuykendall, M.P.T.O.A. president, in his address to Eastern New York exhibitors at the Ten Eyck Hotel here today.

The meeting marked further penetration of the M.P.T.O.A. into former Allied territory in the course of its New York state unit's organizational drive. The meeting here was preceded by meetings at Syracuse and Buffalo this week.

Attacking the block-of-five sales provision and the handling of arbitration by outsiders with no understanding of the business as "particularly ruinous to independent exhibitors," Kuykendall said that had exhibitors been as well organized as are the interests involved in the decree they might have successfully opposed those provisions.

The decree stand of Allied States was scored by Kuykendall, who viewed the rival organization as giving its qualified approval to a measure which will be injurious to Allied members.

A. C. Hayman, president of the Western New York M.P.T.O., presided at the meeting.

U.A. Joining In Opposing U.S. Decree

(*Continued from page* 1)

to the advisability of opposing the decree in court, it was learned.

Some of the attorneys regard the escape clause of the decree as an effort to compel them to become parties to the decree to the injury of the business interests they represent. It would be on this ground that the opposition, if it materializes, would be made.

Inasmuch as Columbia, United Artists and Universal are defendants in the Government's anti-trust suit they have the right to intervene to oppose the decree in court.

Robert Wilby of the Wilby-Kincey Circuit, who is chairman of the Paramount theatre associates committee, and Fred Kent, attorney for the Sparks All-Florida circuit, came here for conferences on the subject but could make no decision at this time due to the fact the decree is not yet finally drafted. They will return to their home cities today and plan to come back to New York to make their decision when the decree has been completed.

The principal objection of the Paramount theatre associates is to the block-of-five provision.

Arbitration Work Continues

Negotiations on further changes of phraseology in the decree will be resumed by attorneys for the five consenting companies and the Government here today. All suggestions for changes in the draft must be in by tomorrow, Government attorneys stated on their return from Washington yesterday. When the changes have been submitted they will be given to Assistant Attorney General Thurman Arnold, who will pass on their acceptability. Arnold is scheduled to return to Washington tomorrow from Buffalo.

The meeting today of the attorneys for both sides is scheduled to continue the uncompleted work on the rules of arbitration, which will supplement the decree.

When all of this has been completed, another meeting will be held in Washington for final conferences and signing of the decree.

In addition to proposals for further changes in the decree itself, attorneys for the consenting companies have requested that changes be made in the standard consent decree form employed by the Department of Justice in all decrees in which it is a participant. The film attorneys contend that this industry is different from all others and, therefore, the standard decree language is not applicable.

Laboratory Union Strike

M. P. Laboratory Technicians Union, Local 702, yesterday went on strike against Producers Laboratory. The dispute involves vacations with pay as provided by contract. The management contends that it has the right to designate the time of such vacations.

Killed in Air Raid

LONDON, Oct. 9.—Marguerite Carroll, sister of Madeleine Carroll, film star, was killed when her home here was bombed during a recent air raid.

Short Subject Reviews

"Stranger Than Fiction, No. 82"
(*Universal*)

An array of odd items of the hobby and collection type are placed on view herein. Shown is the residence in Quincy, Mass., of John Adams and John Quincy Adams; a collection of toy dogs; articles made of match sticks; a Government rubber experiment in Florida; a youngster with a small tractor, and finally a dog which acts as a caddy. Running time, 9 mins.

"Going Places, No. 82"
(*Universal*)

Idaho's highly publicized vacation spot, Sun Valley, is given thorough travelogue treatment in this issue of the "Going Places" series. Such sporting activities as swimming and ice skating, fishing and skiing are seen as daily routine at what is really a wonderland of nature. A good subject well filmed makes this an enjoyable short. Running time, 10 mins.

"Acquitted by the Sea"
(*20th Century-Fox*)

An incredible story is told by Robert Ripley in the first of a planned "Believe It or Not" series produced by Truman Talley. Ripley is seen in the opening sequence only, his voice being heard off-screen intermittently thereafter. With a capable and comparatively extensive cast employed, the tale concerns a bank clerk convicted for a theft of which he was innocent, and his vindication years later during the *Titanic* disaster. The film is a skillful dramatization of a typical Ripley yarn. Running time, 10 mins.

"Touchdown Demons"
(*20th Century-Fox*)

A football game between the cats and the mice is the subject of this Terry-Toon. The gridiron results are fairly obvious, the cats being in the lead until the hero enters the game. Laughs are sporadic. Running time, 7 mins.

"Midget Motor Mania"
(*20th Century-Fox*)

This is another of the "Adventures of a News Cameraman" series, rather dull in the beginning but truly exciting thereafter. The camera views various autos in races, from the toy models to the standard racers. Thrilling spills are numerous. The short is a good addition to the series. Running time, 8 mins.

"Going Places, No. 83"
(*Universal*)

This is an interesting and colorful tour of Arizona territory just north of Mexico. The city of Tucson is explored while also on view are a nature class at work, children attending school on horseback and Indians working in the U. S. Army. A souvenir shop below the border also is visited. Running time, 10 mins.

Feature Reviews

"Dancing On a Dime"
(*Paramount*)

HOLLYWOOD, Oct. 9.—This is a tuneful little comedy cut to the pattern of what Hollywood has been hearing is a somewhat acute public demand for films that amuse, entertain lightly and pass the time in pleasant disregard of the woes of the world. It is enacted by a cast of youngsters gifted in the art of song, dance and light humor, and it is, in contrast to most musicals of recent manufacture, clean and wholesome in the meanings Aunt Minnie reads into those words.

Outstanding personality of the picture, and if audience reaction may be depended upon destined to distinguish many another film, is Grace McDonald, making her screen debut at Broadway's expense, who combines singing, dancing and acting ability of superior quality with a charm that took over a Hollywood preview audience completely and held it. Runner up to Miss McDonald is Peter Hayes, whose impersonations get round laughs, while Eddie Quillan, Frank Jenks and William Hawley supply valuable comedy support, Lillian Cornell, Virginia Dale and Carol Adams rounding out the list of principals.

An A. M. Botsford production directed by Joseph Santley, the picture utilizes, with up-to-date touches, the familiar story about the show that can't open because backing has been withdrawn. There's a topical touch in the fact that it's a WPA project and the Government does the withdrawing, but no political point is made of the circumstance.

Highlights of the picture are production numbers staged by LeRoy Prinz, Miss McDonald scoring solidly in these. Three songs are by Frank Loesser and Burton Lane, two by Loesser and Victor Young, all of them potential popular hits.

Running time, 75 minutes. "G."* ROSCOE WILLIAMS

"Here Is Ireland"
(*Irish-American Film*)

Pat Stanton traveled Ireland with a color camera and emerged with series of scenic views of the country. It is to be regretted that his equipment could not do more justice to the acknowledged beauties of the "Emerald Isle" than he has done in this film.

The inadequacy of his apparatus has resulted in an inadequate film, although the natural beauties of the countryside and the cities of the nation are clearly indicated. The weakness of the color photography is likewise unfortunate, since the use of black and white under the circumstances unquestionably would have been more effective, except in a few instances.

See in quick glimpses are De Valera, President Hyde, Cardinal MacRory, Primate of Ireland, and other notables of the nation. In effect, this is neither more nor less than an extremely lengthy travelogue, with Stanton himself providing the accompanying narrative.

Running time, 120 minutes. "G."*

*"G" denotes general classification.

"Bowling for Strikes"
(*20th Century-Fox*)

This is a splendid short on bowling with Ed Thorgerson describing the proceedings. Bowling competition and exhibitions by youngsters and a champion are pictured effectively. Trick shots also are shown. Running time, 8 mins.

'How Wet Was My Ocean'
(20th *Century-Fox*)

The central character herein is a pig who runs into difficulty while attempting to enjoy a swim in the ocean. It is funny in spots. The cartoon is in color. Running time, 7 mins.

Oakie Arrives Today

Jack Oakie, featured in "The Great Dictator," arrives today aboard the TWA Stratoliner from the Coast to attend the film's opening here next Tuesday.

Acquires Phila. House

PHILADELPHIA, Oct. 9. — Norman Lewis has taken over the operation of the York, neighborhood house.

Republic Denied Plea

Federal Judge Alfred C. Coxe yesterday denied the application of Republic to dismiss the plagiarism suit of Marquis James on the ground that the complaint failed to state a cause of action. The suit charges plagiarism of James' biography of Sam Houston, "The Raven," in "Man of Conquest."

Host to National Guard

READING, Pa., Oct. 9.—J. Lester Stallman, manager of the Astor, played host to two batteries of the National Guard preparing to leave their home armory for a year's training in Virginia. The guardsmen marched to the house in a body.

Mrs. Garcia Killed

CHICAGO, Oct. 9.—Mrs. Ellen Garcia, 45, wife of Frank Garcia, engineer for the Warner Building here, was killed yesterday when an automobile in which she was a passenger collided with another car. Her husband suffered severe back injuries.

Showmanship Flashes . . .

Offers Patron Passes on Criticism of Operation

CAMDEN, N. J., Oct. 9. — The Tower is offering season passes to its patrons for criticisms on the theatre's operation. For two letters, the one offering the severest criticism, the other the most constructive suggestion, season passes good for two people will be awarded. For the next three best in each class, the Tower will give double passes good for all shows until Dec. 1.

Breakfast on the House Aids 'He Stayed' Showing

MIAMA, Oct. 9.—Jack Fink, manager of the Capitol here, gave breakfast "on the house" to persons who attended his first showing of "He Stayed for Breakfast," which began at 7 in the morning.

Broadcast Program From Theatre Stage

San Francisco, Oct. 9.—The Telenews Theatre has closed a deal for five weekly broadcasts of Cracker-barrel Forum, new Roma Wine Co. quiz show starting on KFRC Oct. 8. The program calls for audience participation and will be aired from the theatre Mondays through Fridays at 6:45 P. M., conducted by Art Linkletter. Telenews Manager Ellis Levy set the deal.

Ties in Local Connection With Pictures at House

WILKES-BARRE, Pa., Oct. 9.—For two weeks in succession, Manager John Galvin of the Penn made the most of local connections with films playing his house. Local residents were among members of the Field Hospital squad which returned from Europe and were featured in the newsreels. He had one of the nurses interviewed at the theatre. The following week a "Passing Parade" short featured the scientific work of a former local doctor and Galvin played it up.

Warners, Postal in Tieup on 'Reuters'

President Mackey of Postal Telegraph Co., under a tieup arranged with Warners, will send a personal letter addressed to all 17,000 employes of the telegraph company, urging them to see Warners' "A Dispatch from Reuters." Postal Telegraph also will post jumbo telegrams in office windows and plan special displays in the New York offices.

Uses Preview Quotes To Aid 'Correspondent'

WILKES-BARRE, Pa., Oct. 9.—Newspaper and radio men and women were invited to a special preview showing of "Foreign Correspondent" by Manager Fred Lee of the Capitol Theatre and District Manager Thomas Killeen. Quotes of the special audience were used as the feature of the campaign for the picture.

Juveniles Beat Drum for 'Strike Up the Band'

BALTIMORE, Oct. 9.—In connection with the showing of "Strike Up the Band," a drumming contest was staged at the Century Saturday for children under 16. The winner has received a complete drum set autographed by Mickey Rooney, star of the film.

'Foreign' Is Boston High With $31,000

BOSTON, Oct. 9.—"Foreign Correspondent" and "Out West With the Peppers" drew a total of $31,000 at two theatres, $17,000 at Loew's Orpheum and $14,000 at Loew's State. No other bill exceeded average.

Estimated takings for the week ending Oct. 2:

"Missing People" (Mono.)
"Ride, Tenderfoot, Ride" (Rep.)
KEITH BOSTON—(3,200) (25c-35c-40c-55c) 7 days; Major Bowes' "Radio Graduates" Revue on Stage, 4 days. Gross: $5,700. (Average, $8,000)
"Spring Parade" (Univ.)
"Yesterday's Heroes" (Univ.)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $16,000. (Average, $16,000)
"Rangers of Fortune" (Para.)
"The Quarterback" (W. B.)
METROPOLITAN — (4,367) (25c-35c-40c-55c) 7 days. Gross: $11,500. (Average, $15,500)
"I Want a Divorce" (Para.)
"Girl from Havana" (Rep.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $7,000. (Average, $7,500)
"I Want a Divorce" (Para.)
"Girl from Havana" (Rep.)
FENWAY — (1,320) (25c-35c-40c-55c) 7 days. Gross: $4,500. (Average, $4,500)
"The Sea Hawk" (W. B.)
"Charlie Chan at the Wax Museum" (20th-Fox)
SCOLLAY — (2,500) (25c-35c-40c-55c) 7 days. Gross: $2,500. (Average, $4,000)
"Foreign Correspondent" (U. A.)
"Out West with the Peppers" (Col.)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $14,000. (Average, $12,000)
"Foreign Correspondent" (U. A.)
"Out West with the Peppers" (Col.)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $17,000. (Average, $17,500)

'Conquest' Scores $9,000 in Montreal

MONTREAL, Oct. 9.—"City for Conquest" at the Palace took $9,000, while the second week of "The Sea Hawk" registered $7,800 at Loew's. "The Return of Frank James," with a second feature, brought $7,500 to the Capitol.

Estimated takings for the week ending Oct. 4:

"The Return of Frank James" (20th-Fox)
"Girl From Avenue A" (20th-Fox)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $7,500. (Average, $8,000)
"The Sea Hawk" (W. B.)
LOEW'S—(2,800) (30c-40c-60c) 7 days, 2nd week. Gross: $7,800. (Average, $8,000)
"Captain Caution" (U. A.)
"Sing, Dance, Plenty Hot" (Rep.)
ORPHEUM—(919) (25c-35c-50c) 7 days, 2nd week. Gross: $2,000. (Average, $5,000)
"City for Conquest" (W. B.)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $9,000. (Average, $9,000)
"Flowing Gold" (W.B.)
"Money and the Woman" (W. B.)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $4,200. (Average, $4,500)

Form Theatre Company

PHILADELPHIA, Oct. 9.—Abe M. Ellis, Norman Lewis and Jay Emanuel, exhibitors of this city, and Abe J. Rovner of Atlantic City have organized the Grand & Jackson Theatre Co. for the operation of the Grand and Jackson, South Philadelphia neighborhood houses.

Club Election Nov. 18

CINCINNATI, Oct. 9.—The Cincinnati Variety Club will hold its annual election of trustees Nov. 18, and the officers elected by the trustees will be installed Dec. 2.

U.S. Army Posts to Have Theatres With Daily Showings of New Pictures

WASHINGTON, Oct. 9.—Every existing U. S. Army post and every post constructed under the War Department's new defense building program will have a theatre, with nightly shows of current films, operating on a split week basis.

For enlisted men, admission will be about 20 cents at the box-office, but 14 cents if purchased at the post exchanges. To provide the service, the War Department will broaden its contracts with major distributors to obtain the additional prints necessary, and will revamp its own distribution system. Regular 35mm. prints will be used, with no indication that experiments with 16mm. are planned.

The necessary projection equipment is being acquired as the construction work goes on, with contracts already placed.

In addition to films, there will be bands at the more important posts. So far, no program of live talent shows has been worked out, but it is anticipated that among the men at each post will be many who can entertain in one way or another. So far as possible, the additional entertainment will be left to the men and officers at the various cantonments, but there is a possibility that as the training program goes on professional artists will volunteer their services, which will be accepted with appreciation by Army officials.

The Navy Department also is making plans for films for its men, but its expansion will be gradual as the ships now under construction are commissioned. The Navy service operates along the same lines as the Army and its development will be the same.

Suit Hearings Begin

MIDDLETOWN, Conn., Oct. 9.—Hearings have begun on the $175,000 damage suit of Middlesex Theatre, Inc., and S. & S. Theatre Corp. against Salvatore and Maria Adorno in the Middlesex County Superior Court. The suit involves alleged "conspiracy" and "mismanagement."

'Rhythm' Good for $12,000, Cleveland

CLEVELAND, Oct. 9. — "Rhythm on the River" was the leader here, attracting $12,000 at Loew's State, and "Boom Town" in its third week at the Stillman drew $6,500.

Estimated takings for the week ending Oct. 5:

"He Stayed for Breakfast" (Col.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)
"Howards of Virginia" (Col.)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $9,000. (Average, $11,000)
"Pastor Hall" (U. A.)
LAKE—(900) (28c-40c) 7 days, 2nd week. Gross: $2,000. (Average, $1,500)
"Dulcy" (M-G-M)
RKO PALACE—(3,100) (33c-47c-55c) Ken Murray and show on stage. Gross: $12,000. (Average, $13,500)
"Rhythm on the River" (Para.)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $12,000. (Average, $11,000)
"Boom Town" (M-G-M)
LOEW'S STILLMAN—(1,900) (33c-47c-55c) 7 days, 3rd week. Gross: $6,500. (Average at 33c-39c-47c, $4,000)

'Band' Grosses $11,000 in Detroit

DETROIT, Oct. 9.—"Strike Up the Band" grossed $11,000 at the United Artists with "Cross Country Romance." "Strange Cargo" drew $8,500 at the Palms.

Estimated takings for the week ending Oct. 3:

"The Howards of Virginia" (Col.)
"Yesterday's Heroes" (20th-Fox)
ADAMS—(1,600) (15c-50c) 7 days. Gross: $5,000. (Average, $5,000)
"They Drive By Night" (W. B.)
"Untamed" (Para.)
FISHER—(2,700) (15c-50c) 7 days. Gross: $6,000. (Average, $7,000)
"Hired Wife" (Univ.)
"Slightly Tempted" (M-G-M)
FOX—(5,000) (15c-55c-65c) 7 days. Gross: $15,000. (Average, $15,000)
"Wyoming" (M-G-M)
"Dance Girl Dance" (RKO)
MICHIGAN—(4,000) (15c-55c-65c) 7 days. Gross: $12,000. (Average, $12,000)
"Strange Cargo" (M-G-M)
"Dr. Kildare Goes Home" (M-G-M)
PALMS — (2,000) (25c-39c-55c) 7 days. Gross: $8,500. (Average, $7,000)
"Strike Up the Band" (M-G-M)
"Cross Country Romance" (RKO)
UNITED ARTISTS—(2,000) (20c-50c) 7 days. Gross: $11,000. (Average, $10,000)

$16,500 in Buffalo on 'Strike Up the Band'

BUFFALO, Oct. 9.—"Strike Up the Band" was best here with $16,500 at the Buffalo. "Tom Brown's School Days" drew $10,000.

Estimated takings for the week ending Oct. 5:

"Strike Up the Band" (M-G-M)
BUFFALO—(3,489) (35c-40c-60c) 7 days. Gross: $16,500. (Average, $12,000)
"The Sea Hawk" (W. B.)
GREAT LAKES—(3,000) (35c-55c) 7 days, 2nd week. Gross: $5,600. (Average, $7,500)
"Wyoming" (M-G-M)
"Yesterday's Heroes" (20th-Fox)
HIPPODROME—(2,100) (30c-40c) 7 days. Gross: $6,400. (Average, $6,800)
"Tom Brown's School Days" (RKO)
TWENTIETH CENTURY—(3,000) (30c-35c-44c) 7 days. Blackstone, the magician, and his Show of 1,001 Wonders on stage. Gross: $10,000. (Average at 30-40c, $7,500)
"The Howards of Virginia" (Col.)
"Secret Seven" (Col.)
LAFAYETTE—(3,000) (30c-40c) 7 days, 2nd week. Gross: $6,500. (Average, $6,300)

Cinema
LODGE NO. 1366 ★ B'NAI B'RITH
FIRST ANNUAL BANQUET and BALL
The EVENT of the YEAR

First Public Appearance of
BENNY GOODMAN
AND HIS NEW ORCHESTRA
. . . your Dance Music for the evening!
PLUS a roster of talent that will include the biggest names in town.
HOTEL PENNSYLVANIA
SATURDAY
OCTOBER 26TH
Subscription: $5 Per Person
Obtainable from Col. A. Ralph Steinberg, Chairman, 101 Park Ave., Room 339, N. Y. C.

F.C.C. Grants Four New Station Permits

WASHINGTON, Oct. 9.—The Federal Communications Commission has granted construction permits to WEAN, Providence; WTAR, Norfolk, Va.; KGHL, Billings, Mont., and KECA, Los Angeles, and to Station WBHP, Huntsville, Ala., to increase power from 100 to 250 watts.

The commission ordered hearings held on the applications of William H. Amesbury for a new 630-kilocycle, 1,000-watt station at Minneapolis, and Edward J. Doyle for a new 1,340-kilocycle, 1,000-watt station at Rochester, N. Y., and on the request of WSAY, Rochester, for change of frequency from 1,210 to 1,340 kilocycles and increase of power from 250 to 1,000 watts.

The commission has tentatively fixed Dec. 11 as the date for a hearing on proposed changes in the assignments of stations on the 1,080 and 770-kilocycle channels.

The hearing will study the applications of KFAB, Lincoln, Neb., for change of frequency from 770 to 1,080 kilocycles, increase of power from 10,000 to 50,000 watts and extension of time from sharing to unlimited; WBT, Charlotte, N. C., for construction of a directional antenna (station operates on 1,080 kilocycles with 50,000 watts power); WBBM, Chicago, for extension of time from sharing to unlimited; WJAG, Norfolk, Neb., for change of frequency from 1,060 to 770 kilocycles and change of time from limited to day, and WMBI, Chicago, for change of time from sharing to limited.

Stations Ban Nazi Picture Publicity

(*Continued from page* 1)

NAB members who operate foreign language stations. Since its inception, the committee has discovered three Italian commentators and one German who have frequently inserted propaganda into their talks. As a result of the committee's work, these four are now banned.

Close checks are now kept on all newscasts and sketches. Scripts are examined in advance and a censor sits in the control room ready to cut a show off the air if it deviates from script. Considerable work has also been done to build patriotic shows. Information concerning doubtful speakers or announcers is exchanged among members and where deemed advisable, turned over to Government officials.

Dismiss Libel Suit

Dismissal of a $250,000 libel suit against CBS, Edwin C. Hill and the American Tobacco Co. brought by Moses H. Polakoff, an attorney, was voted yesterday after trial before Justice Timothy A. Leary by a N. Y. Supreme Court jury. Polakoff had contended that a broadcast by Hill discussing the "Lucky" Luciano trial had reflected upon the plaintiff's professional standing.

AFRA to Approve Pact

American Federation of Radio Artists has called a meeting of the New York local for Monday to ratify terms of the contract negotiated with the networks covering sustaining shows. On Tuesday, meetings will be held in Chicago and San Francisco and on Wednesday in Los Angeles.

Off the Antenna

BROADCAST MUSIC, INC., yesterday acquired radio rights to 124,000 music titles from G. Ricordi & Co. of Milan. The acquisition brings the total now directly controlled by BMI to 140,000, with 100,000 divided among Associated Music Publishers and S.E.S.A.C., controlled indirectly through agreements. Of the total of 240,000 about 75,000 are original copyrights and 165,000 are in public domain.

As the catalogue is not included in the contract between Ascap and the official Italian government society, the radio rights are not under the control of Ascap, it was said. Existing contracts between Ricordi and BMI members were assigned to BMI and members will therefore not have to pay royalties to Ricordi after the effective date of the agreement.

• • •

Purely Personal: *Don Pontius has been transferred from Mutual's Chicago program department to Chicago promotion and statistics. Myrtle Goulet will handle traffic and program coordination in Chicago. . . . Wynn Murray and Frank Parker will be guests on "Musical Americana" Thursday, Oct. 17 over NBC-Red. . . . Barry Wood and other "Hit Parade" stars will entertain at the "Night of Stars" Nov. 27. . . . Kate Smith will receive the Drake University medallion for her introduction of "God Bless America" over CBS tomorrow at noon. . . . Ed Mayehoff, Mutual m.c., will open at the Algonquin Supper Club Wednesday.*

• • •

Charles B. Brown, NBC western division sales promotion manager, has been appointed manager of station promotion, James V. McConnell, NBC national spot and local sales manager, announced yesterday. Brown succeeds B. J. Hauser who has been transferred to NBC-Blue promotion.

• • •

Stagehands Union, Local 1, yesterday started picketing NBC in connection with a dispute concerning employment of members in theatres used for radio broadcasts. Although a contract has been in force for almost two years, a misunderstanding arose concerning a move of the Westinghouse show, "Musical Americana" from a theatre to the studios. It was pointed out that the program is remaining in the theatre and it was expected by both sides that the dispute will probably be settled.

• • •

Program News: *"Good News of* 1940" *has changed its title to "Maxwell Coffee House Time." . . . "Fitch Bandwagon" has added* 25 *stations to make a total of* 109 *stations now used over NBC-Red. This makes it the largest network to be used by a drug account. . . . Philip Morris has added* 10 *stations for "Johnnie Presents" to make a total of* 96 *NBC-Red stations. Other additions are three for Bell Telephone for a total of* 90 *NBC-Red stations and Anacin has added six for "Easy Aces" to make a total of* 51 *over NBC-Blue. . . . Red Barber and Al Helfer will be masters of ceremonies for "Battle of Boroughs" over WOR.*

Gene Autry Opens In Garden Rodeo

Gene Autry, last night, made his first personal appearance in New York, at the opening of the 15th annual Rodeo, at Madison Square Garden. Autry is reported to be getting $4,500 per week. The cowboy star is down for two appearances at each performance.

He takes his bow in the center of the arena with his two horses, Champion and Champion, Jr., doing various stunts. On his second bow, Autry sings a few cowboy songs, accompanied by a cowboy band.

The house last night was far from sold out, although many of those in attendance were "invited guests" and press. The scale of $1.10 to $3.85 may have something to do with this, observers felt, the show being no competition for the film houses.

The program has the customary events, such as are generally listed from year to year, such as calf roping, fancy riding and broncho busting by the boys and girls of the show.

Some celebrities in attendance included Bing Crosby, Ned Sparks and Sonja Henie.

To Vote on Sunday Films

BRIDGETON, N. J., Oct. 9.—The City Council has voted six to one to place the question of legalizing Sunday films on the Nov. 5 ballot. Petitions for a similar referendum were filed with the City Council at nearby Woodbury.

Turned Liberal

Marshfield, Wis., Oct. 9.

MARSHFIELD'S curfew law, passed in 1906, has been amended by the City Council to provide for a 10 P. M. curfew for persons under 16 years of age. The original statute set the deadline at 9 P. M. Violators are subject to a $5 fine.

Beetson En Route Here

HOLLYWOOD, Oct. 9.—Fred Beetson, executive vice-president of the Association of Motion Picture Producers, sailed today on the *City of Los Angeles* for a vacation trip to New York via the Panama Canal. He will return in three weeks.

RKO Party Today

RKO will play host at a cocktail party this afternoon at the Starlight Roof of the Waldorf Astoria Hotel for Garson Kanin, director of "They Knew What They Wanted," and Erich Pommer, producer. The film opens today at the Music Hall.

Mohawk Closes Deals

Mohawk Film Corp. has closed deals on its 19 features with Edward Klein of the Bay State Film Co., Boston, for that territory, and with Harry Gibbs of Connecticut Film Distributors, New Haven.

Theatre Changes

Feiber & Shea Takes Lease

PITTSBURGH, Oct. 9. — The Feiber & Shea circuit has taken over the lease of the Fulton, formerly held by Hyde & Behman interests. The circuit has operated the property for a number of years. Local manager is John Walsh.

Delaware House Ready Soon

SEAFORD, Del., Oct. 9.—The new 800-seat, $75,000 Layton Theatre, under construction here, is expected to be completed by the middle of December, according to Thomas E. Ayres, the owner. The theatre will have facilities for stage shows.

Takes Rensselaer House

ALBANY, Oct. 9.—Swif Swick has taken over the Bright Spot, Rensselaer, N. Y. The former operator was Roger Marmon.

Opens in Indianapolis

INDIANAPOLIS, Oct. 9.—Louis Markun has reopened the Ritz, formerly of the Olson circuit, but closed after a bankruptcy action. He formerly owned the Ritz, Rex, Tuxedo, Dream and Laurel. Robert Hesseldenz will be Ritz manager.

Shift Rochester Manager

ROCHESTER, Oct. 9. — Edward Howard, assistant manager at Loew's Rochester here for 11 years, has been transferred to the State Theatre, Boston, as assistant manager. Alvin Leonard, New York, will come to Loew's as student manager.

Open Minneapolis Alvin

MINNEAPOLIS, Oct. 9.—The Alvin, formerly the Shubert, dark since 1935 except for special events, has been opened by the Follies Amusement Corp., of which Harry D. Hirsch is president. The policy is a combination of first run films with vaudeville.

Sells Des Moines House

DES MOINES, Oct. 9. — Leo H. Kahn, manager of the Grand for the past 10 years, the last three as owner, has disposed of the 600-seat theatre to the Garbett Theatre Enterprises, Inc., headed by E. M. Garbett, which operates four other theatres in Des Moines.

Changes Theatre Policy

WILKES-BARRE, Pa., Oct. 9.—The Hart Theatre, managed by Walter Rooney, has inaugurated a continuous show program in place of its two-shows-a-night schedule. The house will be open from 4 to 11 from Mondays to Fridays, 1 to 11 on Saturdays and 2 to 11 on Sundays.

Reopens Pennsylvania House

LARKSVILLE, Pa., Oct. 9.—Leo F. McGowan, former operator, has reopened the Lark after completely renovating and remodeling the house.

Extend Operating Time

The Royal, 655 Tenth Ave., Manhattan, open in the past on weekends only, is now operating daily.

Demolish Brooklyn Theatre

The Classic, 550-seat house in Brooklyn, has been demolished.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 73 NEW YORK, U. S. A., FRIDAY, OCTOBER 11, 1940 TEN CENTS

FILE COPY DO NOT REMOVE

Adjustment of Upstate Trade Problems Set

MPTO to Study Disputes With Schine Aid

Voluntary adjudication of up-state clearance disputes and other trade problems involving the Schine Circuit and competing exhibitors is in prospect for the near future as a result of M.P.T.O.A. efforts to develop a state-wide, unified exhibitor organization in New York, it was learned yesterday.

The Schine Circuit has become a member of the M.P.T.O. of Western New York, headed by A. C. Hayman, of Buffalo, and round-table conferences under the organization's auspices to weigh and adjust recurrent clearance and other complaints have been agreed to by Schine circuit officials.

Another aspect of the program to strengthen the state M.P.T.O.A. organization involves a coperative working agreement reached between the New York City unit, headed by Max

(*Continued on page 5*)

Wehrenberg Again President of MPTO

ST. LOUIS, Oct. 10.—Fred Wehrenberg, veteran exhibitor here, was re-elected president of the M. P. T. O. of Eastern Missouri and Southern Illinois at the association's annual meeting.

Other officers are: S. E. Pirtle, I. W. Rodgers, Sam Komm and Robert C. Cluster, vice-president; Louis C. Hehle, secretary-treasurer; Lou Ansell, assistant secretary-treasurer; Walter A. Thimmig, sergeant-at-arms; Harold W. Evens, Louis J. Menges, L. A. Mercier, H. E. Miller, A. Pappas, Tom James, Clarence Kaimann and Noah Bloomer, directors.

Branch Is Reelected Michigan Allied Head

DETROIT, Oct. 10.—Ray Branch of Hastings was reelected president of Allied Theatres of Michigan, Inc., at the closing session of the annual convention at Jackson.

Other officers chosen were: W. James Alson, vice-president; Edgar E. Kirchner, secretary-treasurer; Pearl M. Sprott, business manager, and C. R. Beechler, Henry Carley, William A. Cassidy, Glenn A. Cross, Allen Johnson, Fred Penell, P. C. Schram, William Schulte, Walter Semeyn, J. E. Stocker, W. G. Thick, and Fred Witters, directors.

HAYS PLEDGES FILMS' FULL SUPPORT TO U. S. DEFENSE

Washington, Oct. 10.—Full support of the film industry in the defense program is pledged in a letter received today by Secretary of War Stimson from Will H. Hays, president of the M.P.P.D.A.

Hays assured the Secretary of the industry's real desire to perform any service it could during the emergency and announced that he had appointed Francis S. Harmon, his executive assistant, as liaison man between the industry and the Government. Harmon will work with the industry committee on national defense headed by George J. Schaefer, to facilitate cooperation with the Government's plans.

English Exhibitors Ask Longer Hours

LONDON, Oct. 10.—The decision yesterday of the Cinematograph Exhibitors Association to approach the Ministry of Home Affairs on the early theatre closing situation and the new move by the London C.E.A. asking local authorities to permit earlier opening on weekdays and Sundays are seen as indicating a national exhibitor move toward an adjustment of theatre hours in view of wartime conditions.

The national exhibitor body is expected to suggest to the Ministry of Home Security that it advise local authorities to accept the advice of local exhibitor groups on evening hours, contending that they are best equipped to deal with local conditions.

The London group already has approached the London County Council seeking permission to open at 10:30 A. M. on weekdays and 1:30 P. M. on Sundays.. Several of the houses in the West End of London did the best business last weekend since the blitzkrieg began.

B'way Sees Big Holiday

A big weekend is anticipated by Broadway managers in view of the double holiday tomorrow, which is Columbus Day and Yom Kippur. It is expected that Saturday will be a big day along Times Square, especially in the evening.

The big opening next week will be the double premiere Tuesday night of "The Great Dictator" at the Capitol and Astor. "Strike Up the Band" will be held a total of two weeks and three days at the Capitol because of the Tuesday opening. It should bring an estimated $35,000 for its second week. The 42nd week of "Gone With the Wind," which closes its run Sunday night just one day short of 43 weeks, was good for an estimated $14,700.

"Spring Parade" with a stage show was a smash hit at the Roxy with an estimated $68,500 for the first week. It is held over. At the Globe, "Pastor Hall" should bring an estimated $6,500

(*Continued on page 5*)

"The Thief of Bagdad"

[Korda—United Artists]

HERE is a delightful fantasy and delightful entertainment for all people, of all ages, in all places. The age-old and truly wonderful adventure of the little sharp-witted "Thief of Bagdad" in the ancient Arabian city of legend, has been brought to the screen with all the technical greatness of the motion picture. In its use of color and sets the picture is a monument to the art.

This picture, produced partly in England and partly in Hollywood and at the Grand Canyon, represents the best achievement to date in color technique. Little more could be desired in subject matter for the employment of color than this story, but it is to the credit of those responsible that they have taken advantage of their opportunity to the fullest extent.

Alexander Korda, the producer, had the benefit of several expert craftsmen. Lajos Biro prepared the scenario. Miles Malleson wrote the screenplay and dialogue. Ludwig Berger and Michael Powell co-

(*Continued on page 5*)

Kuykendall To Protest on Decree to U.S.

Will Seek Relief from Justice Department

Ed Kuykendall, president of the M.P.T.O.A., tomorrow in Washington will present a general report to Department of Justice officials of "the mounting opposition among exhibitors" to the proposed consent decree.

The M.P.T.O.A. will first exhaust every means of obtaining desired decree changes through conferences with the Department of Justice before any decision is made on fighting the decree in the courts. Kuykendall's conference may include Assistant Attorney General Thurman Arnold, who is expected back in the capital today.

Meanwhile, Government spokesmen yesterday estimated that it will take another two weeks to put the final draft in form for submission to the Federal court for approval.

The decree drafting committee met yesterday on the suggestions for rephrasing which were advanced Tuesday in Washington at a meeting of company heads and attorneys with the Department of Justice. This work will continue at another session today which will also undertake to set up the rules of arbitration.

Though authorized by its executive committee to oppose the decree "to the limit," the M.P.T.O.A. has not determined what procedure it will adopt if its efforts to obtain relief through the Department of Justice fail, Kuykendall said yesterday in New York.

The M.P.T.O.A. is understood to be convinced that exhibitor efforts to win

(*Continued on page 5*)

Kreisler Universal Shorts Sales Head

Bernard B. Kreisler yesterday was named short subject sales manager and circuit contact for Universal by W. A. Scully, vice-president and general sales manager.

Kreisler recently was appointed to a special executive post in the home office sales department after two years as Washington branch manager for Universal. He started with the company as a salesman in Boston. He succeeds Leo Abrams, resigned, as short subjects sales manager. The post of circuit contact is a newly created one.

French to Impose Film Censorship

Vichy, Oct. 10.—The French government will impose a censorship on all films in the future under the terms of a decree being prepared. Films which have previously been exhibited will come under the censorship in addition to new product. Films tending to demoralize youth or depicting France unfavorably will be banned. Of those passed, there will be classifications for children and adults. Films intended for export must also depict France favorably.

Kanin Honor Guest At RKO Reception

Garson Kanin, director of the RKO film, "They Knew What They Wanted," which opened at the Music Hall yesterday, was guest of honor at a cocktail party in the Starlight Roof of the Waldorf Astoria Hotel yesterday afternoon.

Among those in attendance were: Ned E. Depinet, John J. O'Connor, Martin Quigley, A. W. Smith, Jr., Cresson Smith, Robert Mochrie, William Merrill, Sam Shain, Harry Goetz, Leon Goldberg, Paul Peters, Malcolm Kingsberg, Fred Meyers, Max Fellerman, Harry Mandel, J. Henry Walters, Elsa Lanchester, Sam Levine, Leonard Lyons, L. L. Stevenson, John E. Parsons, Thomas P. Durell, S. Barret McCormick, Rutgers Neilson, Janet Fox, William Boehnel.

Settle 'Pastor Hall' Toller Estate Suit

Suit of the Ernst Toller estate against James Roosevelt, U. A. and Grand National Pictures of England over "Pastor Hall" has been settled, it was disclosed yesterday in the U. S. District Court.

The settlement provides for payment to George Garfield, administrator of the estate, of $2,500 and five per cent of the gross of the film.

Garfield had claimed that the defendants had not obtained the film rights to Toller's book, "Pastor Hall," while the defendants contended they had a contract which gave them the rights.

Lindy's INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

GEORGE J. SCHAEFER plans to leave for the Coast tonight for a studio visit.

•

DAVID O. SELZNICK plans to leave for the Coast next week to enter his children in school there, but will return to New York in about two weeks.

•

ABE SCHNEIDER, Columbia treasurer, is due next week from the studio. JACK COHN, vice-president, will return over the weekend.

•

FRED LANGE, Paramount Continental European manager, left for Lisbon on the *Clipper* yesterday.

•

HARRY BUCKLEY, MONROE GREENTHAL, WILLIAM MOSES, RUBE JACKTER, ARTHUR MAYER, IRVING SHAPIRO, ABE MONTAGUE, JOHN WRIGHT, EUGENE PICKER, MARVIN SCHENCK and AL MARGOLIES having lunch yesterday at Lindy's (next to the Rivoli).

•

MR. and MRS. DAVID SADAL of Washington were entertained at the Waldorf-Astoria yesterday by RAY BELL, Loew's publicist. MRS. SADAL is secretary to CARTER BARRON, Loew's Washington district manager.

•

SAMUEL HADELMAN, operator of the Capitol and Colonial, Bridgeport, Conn., leaves next week for a seven-day cruise to Havana.

•

R. T. YOUNG, traveling auditor for Paramount, is at the Des Moines exchange for two months.

•

CARMEN MIRANDA is expected from Brazil Monday on the *Uruguay*.

W. RAY JOHNSTON, president of Monogram, left yesterday for the Coast after two days in New York. EDWARD A. GOLDEN, general sales manager, is expected to leave for the Coast today or tomorrow.

•

HARRY GOLD, MARTIN MOSKOWITZ, JOSEPH MOSKOWITZ, ARTHUR SILVERSTONE and HAL YOUNG lunching at Lindy's (51st St.) yesterday.

•

MAX WEISFELDT, P. A. MCGUIRE, VINCENT TROTTA, BUDD ROGERS, SAM CITRON, SAM SPRING, JACK MAYER and WILLIAM FITELSON at the Tavern yesterday for lunch.

•

STANTON GRIFFIS, JOHN D. HERTZ, JR., SAM SHAIN, MARTIN BECK, MAX GORDON, OTTO PREMINGER, MARCUS HEIMAN, ROBERT BENJAMIN, ARTHUR KRIM, JOHN BARRY, MAX WOLF, MORT SPRING, JOSEPH ROSTHAL, WILLIAM MELNIKER, JOHN GARFIELD, MILTON WEISS, ARMANDO, JUNE HOVAC and DONALD GIBBS lunching at Sardi's yesterday.

•

ED SCHNITZER, LEON NETTER, WILLIAM F. RODGERS, TED O'SHEA, WALTER READE, JR., TOM CONNORS and RUSSELL HOLMAN at Nick's Hunting Room in the Astor for lunch yesterday.

•

COL. WILLIAM J. DONOVAN will address the New York State Bankers Association at Rochester next Monday, at the invitation of EDWARD P. CURTIS, motion picture sales manager for Eastman Kodak.

•

CARL E. LIND, M-G-M salesman in Salt Lake City, has a birthday tomorrow.

Associates Reject Variety Club Merger

The executive board of the Motion Picture Associates yesterday voted down a proposal to join the National Variety Clubs as a New York unit. The merger was suggested recently by William F. Rodgers, M-G-M general sales manager, who was also present at yesterday's session.

Following the action, Rodgers urged the group to seek the membership of the top executives in the industry. A committee was thereupon appointed to make a drive for such membership. A proposal to acquire a club house for the organization will be taken up at a future meeting.

Request Dismissal of 'U' Stockholder Suit

Dismissal of the stockholders' suit against Universal Pictures brought by Samuel Posen, a director of the company, Celia Brown and Esther Tolmach was asked yeterday in an answer filed by Universal in the N. Y. Supreme Court.

The answer denies all claims made by the plaintiffs that directors of the company had acted improperly. The suit seeks an accounting and an injunction to restrain an alleged planned merger between Universal Pictures and Universal Corp.

Posen is a representative of preferred stockholders on the Universal board. He and two other plaintiffs are minority stockholders.

Indianapolis Scale Raised for 'Police'

INDIANAPOLIS, Oct. 10.—Paramount's "North West Mounted Police" will play the Circle here at a scale of 35 cents and 15 cents for children at matinees, and 44 cents for balcony and 60 cents orchestra at night. The Circle's regular scale is 28, 33 and 44 cents.

In Louisville, the film will play the Rialto at 40 cents with children priced at 16 cents, for matinees, and 48 cents in the balcony and 60 cents in the orchestra at night.

May Not Roadshow 'Bagdad' on B'way

"The Thief of Bagdad" may not be roadshown in New York if a satisfactory opening date for the picture can be obtained at the Music Hall. Local policy for the picture will not be decided until the Radio City house has made its decision. The possibility remains, however, that the picture will be roadshown in several other cities.

Berton Churchill Dies

Berton Churchill, film and stage actor, died early yesterday in Medical Arts Center Hospital here. Churchill, who was 64, was to have opened next Monday night in "George Washington Slept here" at the Lyceum. He had played in many films since 1932. Surviving are a wife and daughter, in Hollywood.

Newsreel Parade

POINT of origin of the war clips in the weekend issues is Egypt, where the Italians are seeking to gain control of the Suez. U. S. defense, football and the World Series windup are also prominent. Contents follow:

MOVIETONE NEWS, No. 10—Burma Road dispute. War in Egypt. King Carol in Spain. G-Men in target practice. Marines leave for Cuba. Parachute troops in training. Fur fashions. World Series ends. Football. Monkeys amuse zoo spectators.

NEWS OF THE DAY, No. 208—Parachutists trained for the army. Government agents in pistol drills. Italian drive on the Suez. Willkie on tour. Roosevelt at gun factory. World Series. Auto racing. Football.

PARAMOUNT NEWS, No. 13—New French army chief. G-Men in target practice. Parachute troops developed for the army. Food machines at the Bronx Zoo. Views of the presidential candidates. World Series.

RKO PATHE NEWS, No. 13—Willkie speaks in Jersey City. Parachute troops trained. G-Men practice pistol shooting. Stunt auto riding at the World's Fair. Football. World Series.

UNIVERSAL NEWSREEL, No. 918—Italian forces in Egypt. Willkie on tour. Roosevelt at New York arsenal. South American army chiefs inspect defenses here. Parachute troops trained. Marines sail for Cuba. Fashions. Oriental pageant in St. Louis. World Series.

Film Notables at Opening of Center

The Center Theatre reopened last night with the premiere of a skating spectacle, "It Happened on Ice" starring Joe Cook and produced by Sonja Henie and Arthur Wirtz. W. G. Van Schmus, manager director of Radio City Music Hall, is also managing director of the Center.

Among those at the opening were Nicholas M. Schenck, Harry Cohn, Sam Shain, Major Albert Warner, Alfred E. Smith, Winthrop Rockefeller, Lawrence Rockefeller, David Rockefeller, Ned E. Depinet, Eddie Cantor, Fred Allen, Nate Spingold, Jay Downing, Truman Talley, E. J. Churchill, Gus Eyssell, M. B. Clofine, Earl Wingart, Ed Thorgerson, Garson Kanin, Vanderbilt Webb, Bertram Cutler, Hugh S. Robinson, Barton Turnbull, Mrs. David Milton, Charlotte Greenwood, Merle Crowell and Jimmie Fidler.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.





"THIRD FINGER, LEFT HAND"

Mr. Exhibitor!
You will say:
"I love you again
M-G-M because
you have given
me another
terrific box-office
comedy to top
'I Love You Again'!"
And that's
nice topping!

Starring
MYRNA LOY
with
MELVYN DOUGLAS • Raymond Walburn • Lee Bowman • Bonita Granville • Felix Bressart

A ROBERT Z. LEONARD Production • Original Screen Play by Lionel Houser • Directed by Robert Z. Leonard • Produced by JOHN W. CONSIDINE JR.

A METRO-GOLDWYN-MAYER PICTURE

Philadelphia Gives 'Band' Big $22,200

PHILADELPHIA, Oct. 10.—In spite of night football games and the start of the Jewish holidays, picture grosses held up well. "Strike Up the Band" led the field at the Boyd with $22,200. At the Earle, the return of vaudeville after 11 months gave the house $23,600 with George Jessel's unit and "Dr. Kildare Goes Home" on the screen. "The Westerner" gave the Stanley $16,600.

Estimated takings for the week ending Oct. 2-4:

"Dulcy" (M-G-M)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days. Gross: $8,900. (Average, $9,000)
"No Time for Comedy" (W. B.)
ARCADIA—(600) (35c-46c-57c) 8 days, 3rd run. Gross: $3,200. (Average, $2,600)
"Strike Up the Band" (M-G-M)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $22,200. (Average, $13,000)
"Dr Kildare Goes Home" (M-G-M)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including George Jessel, Rochelle Hudson, Jean Parker, Isabel Jewell, Steffi Duna, Lya Lys, Betty Jane Cooper, Jean Gary and Mario Silva. Gross: $23,600. (Average, $14,000)
"Lucky Cisco Kid" (20th-Fox)
FAY'S—(2,190) (15c-29c-35c-46c-57) 7 days with vaudeville including Julie Bryan, Margie Kelly, Isabel Brown, Ross & La Pierre, Gus Howard, Mark Huling & "Sharkey", Martin & Marvel and Charlie Barrer. Gross: $7,000. (Average, $6,900).
"City for Conquest" (W. B.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $11,700. (Average, $13,000)
"The Howards of Virginia" (Col.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,300. (Average, $3,000)
"Foreign Correspondent" (U. A.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,400. (Average, $4,500)
"The Westerner" (U. A.)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $16,600. (Average, $14,000)
"Boom Town" (M-G-M)
STANTON—(1,700) (46c-57c-73c) 9 days, 2nd run. Gross: $9,300. (Average, $4,500)

B'way Expects Big Weekend Business

(Continued from page 1)

for the third week which ends tonight. "Let George Do It" opens there tomorrow.

"They Knew What They Wanted" opened at the Music Hall yesterday, after the Columbia film, "Howards of Virginia" with a stage show grossed an estimated $77,000 for its second week. The second week of "City For Conquest" at the Strand with Bobby Byrne's band on the stage grossed an estimated $38,000. Byrne was stricken with appendicitis Tuesday and other bandleaders have substituted for him. At the Rialto, "Diamond Frontier" grossed an estimated $6,800 and was followed yesterday by "I'm Still Alive."

La Crosse Action Delayed to Oct. 28

Trial of the La Cross Theatre Co. anti-trust suit against major distributors, which was scheduled to begin Monday in Federal court at Madison, Wis., was postponed yesterday to Oct. 28 to permit the taking of additional depositions here and in Chicago.

Depositions will be taken here on Monday and in Chicago next Thursday.

"The Thief of Bagdad"

[Korda—United Artists]

(Continued from page 1)

directed. William Cameron Menzies was associate producer. Vincent Korda designed the sets and Miklos Rosza prepared the appropriate and highly effective musical score.

The occasional modern touches in dialogue and situation add to the zest and the delightfully fantastic taste of the ancient tale. The cast handles its work skillfully and with telling effect. Conrad Veidt is the domineering, ambitious and cruel usurper of the crown of Bagdad. He is splendid. Excellent, also, are Sabu, the little thief of Bagdad, who befriends and is befriended by John Justin, young king and victim of Veidt's machinations; June Duprez, Italian-French actress, princess of Basra, loved by Justin; Miles Malleson, the Sultan, father of the princess, and Rex Ingram, the gigantic Djinni, who does the bidding of the little thief.

The story, set against beautiful backgrounds of sky and sea, replete with the bizarre kaleidoscope of color which are the market places of Bagdad and Basra and the palaces of the kings and sultans, is a well-loved tale. The young king, driven from his throne by trickery, falls in with the thief, and escapes from Bagdad. At Basra he gazes on the lovely princess, and she and the beggar-king fall in love. Their attachment stands in the way of the usurper, seeking the hand of the princess, and he strikes the beggar blind, and turns the thief into a dog. When the spell is finally broken, the two start out to save the princess from the tyrant. They succeed through the strange adventures of the giant Djinni, the all-seeing eye, the flying horse, and finally the lovers are rescued by the thief with the magic cross-bow as he flies to them on the magic carpet.

Running time, 110 minutes. "G."* CHARLES S. AARONSON

*"G" denotes general classification.

'Brigham Young' Big In Frisco, $17,000

SAN FRANCISCO, Oct. 10.—"Brigham Young, Frontiersman" drew $17,000 at the Fox, with "Strike up the Band" getting $14,500 at Paramount. Business was on the upgrade following the close of the exposition.

Estimated takings for the week ending Oct. 1-4:

"Dr. Christian Meets the Woman" (RKO)
GOLDEN GATE—(2,850) (40c-50c-55c) 7 days. Stage: vaudeville. Gross: $13,700. (Average, $15,000)
"Brigham Young, Frontiersman" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $17,000. (Average, $16,000)
"The Howards of Virginia" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $9,000. (Average, $8,000)
"Strike Up the Band" (M-G-M)
PARAMOUNT — (2,740) (15c-35c-40c-50c) 7 days. Gross: $14,500. (Average, $11,500)
"Foreign Correspondent" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 3rd week. Gross: $6,500. (Average, $8,000)
"Wyoming" (M-G-M)
"Dr. Kildare Goes Home" (M-G-M)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $4,800. (Average, $6,000)
"Boom Town" (M-G-M)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days, 5th week. Gross: $10,500. (Average, $12,000)
"Queen of Destiny" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days, 2nd week. Gross: $1,400. (Average, $1,000)

Lab Strike Continues

Strike of M. P. Laboratory Technicians Union, Local 702, at Producers Laboratories yesterday continued for the second day with both sides adamant. The union contends that vacations with pay must be given before Sept. 30 under terms of the contract. A conference was held yesterday but no agreement was reached.

'Band' Pittsburgh Winner at $19,500

PITTSBURGH, Oct. 10.—"Strike Up the Band," with $19,500 at Loew's Penn, and "Foreign Correspondent" with $13,500 at the Stanley, led the town in a good week.

Estimated takings for the week ending Oct. 3:

"Howards of Virginia" (Col.)
ALVIN—(1,800) (28c-39c-55c) 7 days. Gross: $7,500. (Average, $7,000)
"Brigham Young" (20th-Fox)
FULTON—(1,700) (28c-44c) 11 days. Gross: $8,000. (Average, 7 days, $5,000)
"Strike Up the Band" (M-G-M)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $19,500. (Average, $13,000)
"Boom Town" (M-G-M)
RITZ—(800) (28c-44c-59c) 7 days, 4th week. Gross: $3,800. (Average, $3,000)
"Foreign Correspondent" (U. A.)
STANLEY—(3,600) (28c-39c-55c) 7 days. Gross: $13,500. (Average, $13,000)
"The Westerner" (U. A.)
WARNER—(2,000) (28c-39c-55c) 7 days, 2nd week. Gross: $5,000. (Average, $5,000)

'Band' Draws Big $16,500, St. Louis

ST. LOUIS, Oct. 10.—Theatres here had competition from a horse show, with Tommy Dorsey and his band as its chief attraction. "Strike Up the Band," at Loew's, drew $16,500.

Estimated takings for the week ending Oct. 3:

"Strike Up the Band" (M-G-M)
"The Secret Seven" (Col.)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $16,500. (Average, $13,000).
"Spring Parade" (Univ.)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $9,000. (Average, $11,500)
"City for Conquest" (W.B.)
"Calling All Husbands" (W. B.)
FOX—(5,038) (28c-39c-44c-50c) 7 days. Gross: $9,000. (Average, $11,000)
"Hired Wife" (Univ.)
"The Great McGinty" (Para.)
MISSOURI—(3,514) (28c-39c-44c-56c) 7 days. Gross: $5,000. (Average, $4,000)
"The Awful Truth" (Col.)
"The Lost Horizon"
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $2,500. (Average, $2,600)

Kuykendall To Protest on Decree to U.S.

(Continued from page 1)

changes in the decree should be addressed to the Department before the decree goes to the court. Legal opposition after the decree has been submitted to Federal Judge Goddard is viewed by the organization as only a "last ditch stand," which holds little promise of success.

Kuykendall will go to Memphis from Washington to attend the annual convention there Sunday and Monday of the Tri-States M.P.T.O. He will report to that organization on the status of the decree and then return to New York.

The M.P.T.O.A. head took exception to published stories in which he was quoted as deprecating the hearing on the decree attended by exhibitors in Washington last month.

"I have never questioned the sincerity or integrity of Arnold or any member of his staff in their conduct of these proceedings," Kuykendall said. "I don't like what has been done, but I have always recognized that the Department of Justice was trying to do a job, and to do it as best it could."

B. & K. Contempt Hearing Oct. 28

Hearing has been set for Oct. 28 in Federal court at Chicago on Paramount's exceptions to the special master's report holding B. & K. and Barney Balaban in contempt for violation of the Federal consent decree against the Chicago circuit.

U. S. Files New Data In Schine Action

BUFFALO, Oct. 10.—The Government today served its separate bill of particulars in the Schine Circuit anti-trust suit on Columbia Pictures, in accordance with an order of the Federal Court here last month.

The new, 24-page bill is similar to the original bill of particulars but its allegations refer, in most part, to Columbia's alleged violations of the anti-trust laws. However, U. S. Attorney George L. Grobe, who signed the bill, admits that the Government is not able at this time to state the exact period during which it claims the Columbia violations occurred.

Upstate Clearance Adjustment Is Set

(Continued from page 1)

Cohen, and Hayman's organization. Under the agreement, the two units will work closely, harmoniously on organizational matters, rather than as rivals for territorial jurisdiction and membership, it was said.

Under the agreement between the city and state organizations, the jurisdiction and membership territory of Cohen's organization is confined to the metropolitan area, while that of Hayman's organization includes the rest of the state. The individual units, however, will work in close cooperation, much as a single state unit, on all organizational matters.

THEY KNEW WHA

..AND THEY'RE TELLING THE WORLD!

DAILY VARIETY SAYS–

"Premiere staged by RKO convinced San Franciscans that they, too, knew what they wanted...Police estimated crowd of 50,000 around theatre . . . House filled to capacity for three premiere shows."

EDWIN SCHALLERT, LOS ANGELES TIMES–

"San Francisco premiere proved the picture to be a noteworthy event in performances, story treatment and direction . . . Large crowds congregated in front of the theatre."

FILM DAILY SAYS–

"Should be big at the box-office...Splendid dramatic story, excellent performances, expert direction . . . Can easily qualify as one of the best dramatic efforts of recent years."

MOTION PICTURE DAILY SAYS–

"Moving and powerful . . . A strong story . . . of futility and hope, of sordid passions and idyllic love, of tragic sin and epic forgiveness."

VARIETY SAYS–

"Beautifully acted, excellently directed and produced with fine feeling . . . A class picture for the top first runs, guaranteed to delight the emotionally inclined."

HOLLYWOOD VARIETY SAYS–

"Valid, powerful and enticing in its drama as it was in the theatre . . . Has the sure-fire elements of widespread woman interest."

LOUELLA O. PARSONS, L.A. HERALD-EXAMINER

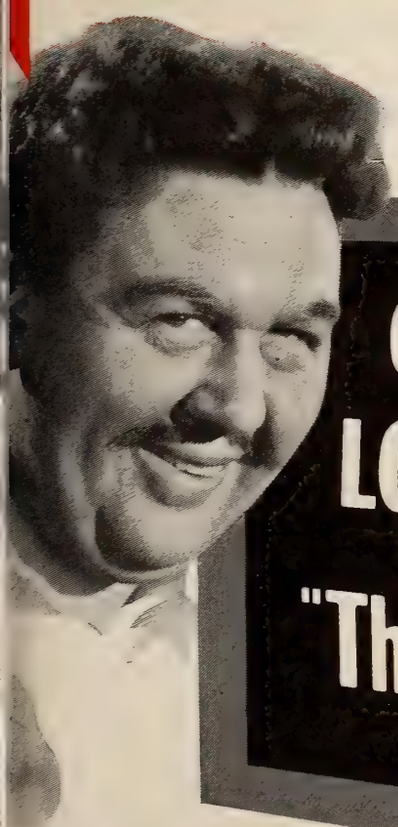
"Charles Laughton gives an Academy Award performance if ever I saw one . . . Carole Lombard proves she is a fine dramatic actress . . . As fine a picture as we have seen in many a day."



RKO RADIO PICTURES

T THEY WANTED!

50,000 PEOPLE TRY TO CROWD INTO SAN FRANCISCO WORLD PRIEMIERE TUESDAY NIGHT . . . BUSINESS TERRIFIC EVER SINCE . . . SMASH NEW YORK OPENING AT RADIO CITY YESTERDAY . . . WIRES BURNING WITH ENTHUSIASM FROM OPENINGS IN CHICAGO, NEW ORLEANS, BOSTON, PROVIDENCE, DETROIT, COLUMBUS . . . DOZENS OF OTHER FIRST RUNS OPENING NEXT WEEK!



CAROLE LOMBARD
CHARLES LAUGHTON
IN
"They Knew What They Wanted"

DIRECTED BY
GARSON KANIN
with WILLIAM GARGAN · HARRY CAREY · FRANK FAY

HARRY E. EDINGTON *Executive Producer* Produced by ERICH POMMER SCREEN PLAY BY ROBERT ARDREY From a Pulitzer Prize Play by SIDNEY HOWARD

Office Worker Vote Called at 7 Studios

WASHINGTON, Oct. 10.—The National Labor Relations Board today ordered an election among the office, clerical, secretarial and accounting employes of seven film companies to determine whether they desire to be represented for collective bargaining purposes by the Screen Office Employes Guild.

The elections, which are to be held within 30 days, were ordered at Columbia, Loew's, RKO, Republic, Hal Roach studios, Universal and Walter Wanger Productions. An election also was ordered among the same classes of employes at 20th Century-Fox, the issue being whether they shall be represented by the guild or the 20th Century-Fox Office Employes Guild.

The board dismissed petitions for elections at Selznick International because it was in the process of reorganization at the time of the hearing, and at Samuel Goldwyn, Inc., on the ground it was not engaged in production.

Cassils File More Data in Trust Suit

KANSAS CITY, Oct. 10.—In response to a ruling by Federal Judge Merrill E. Otis, Mr. and Mrs. Frank Cassil of the Rialto, St. Joseph, Mo., have filed a bill of particulars in connection with their suit against major distributors and Dubinsky Brothers for $450,000 damages under the anti-trust laws.

The bill, however, did not add anything to the original brief of the Cassils. The Cassils pointed out they did not know whether the alleged agreements among defendants were oral or written, but expressed the belief they were partly both. However, the bill said, the Cassils are unable to furnish copies of the written parts.

Union Meetings Set

NEW HAVEN, Oct. 10.—Operators Local 273 will meet Oct. 20 at Trades Council Hall, with Nelson Frazier presiding. Matthew Kennedy, business agent, reports that negotiations for new contracts are nearing completion and should be ready by the end of October. Stage Employes Local 74 will meet Oct. 28 with John O'Connell presiding.

'Ramparts' Trial Oct. 28

PHILADELPHIA, Oct. 10. — Justice William I. Schaffer of the State Supreme Court today set Oct. 28 for a hearing on the state censors' ban of "Ramparts We Watch," granting the request of March of Time-RKO to advance the date of the hearing, which will be in Pittsburgh.

New Theatre Company

DOVER, Del., Oct. 10.—Edge Moor Theatre Co. has been formed here to deal in places of entertainment. The incorporators are: T. Lea Perot, Media, Pa.; Daniel A. Ward, Philadelphia, and R. B. Kennedy, South Ardmore, Pa.

Buys French Comedy

I. E. Lopert has acquired the rights to produce as a play or film the French comedy, "Le Roi," written by Robert de Flers, G. A. de Caillavet and Emmanuel Arene.

Off the Antenna

JUST to advise the radio industry that television is not dead, although dormant at the moment, NBC has mailed out a six-page brochure, "The Eyes Have It." Enthusiastic comments of viewers of telecasts from the Philadelphia Republican convention and newsreel shots of the Chicago Democratic convention are featured. The booklet recalls that the telegraph established itself in 1844 when Samuel F. B. Morse hooked up Annapolis and Washington to report the Whig convention of that year.

• • •

Program News: *Jack Benny will have a busy day Sunday, Oct. 20, when he completes his NBC-Red show for Jello. He will rush to CBS studios for an appearance on "Screen Guild Theatre." Claudette Colbert and Edward Arnold will be on the program. . . . .Beecham Pills has signed a 52-week contract with WHN for nine 15-minute programs weekly. Famous Furriers has also signed a year's contract for 22 quarter-hours weekly. . . . "The Lamplighter" returns to WOR Sunday at 10:15 A.M. under the sponsorship of A. Goodman & Sons. . . . Colgate-Palmolive-Peet has renewed "Ellen Randolph" over 42 NBC-Red stations. . . . Star Radio Programs has released promotion for its annual Christmas series, "Christmas Tree of 1940."*

• • •

Something new in football forecasters, a woman commentator who will keep a cumulative score of her correct predictions, will start over WNEW tonight at 7:45. On Saturdays, she will give the scores and compute her average. The woman is Alice Marble, the tennis champion.

• • •

A new style of records, with film and stage stars reciting the parts for which they are best known, have been put on the market by Specialty Record Co. The first five include bits by John Barrymore, Luise Rainer, Franchot Tone, Joe E. Brown and Ilka Chase. The records begin with a musical introduction, Del Sharbutt gives a brief description of the scene and there is background music during the recitation. The records bear no restriction against radio use.

• • •

WLOF, Orlando, Fla., *will join NBC Oct. 21 as part of the Blue Florida group. It will be the network's 204th affiliate. WLOF operates on 1,200 k.c. with 250 watts. Basic rate is $60 per evening hour.*

W. B. Dance Nov. 23

The Warner Club, organization of home office employes, will hold its Thanksgiving dinner-dance on Nov. 23 at the Hotel Commodore. Martin Bennett is in charge of arrangements, assisted by Harold Rodner, Harry Mayer, Bernard Goodman and Etty Phillips.

Settle Durante Suit

Suit of Morton A. Milman against Jimmy Durante for $4,800 commissions alleged due for obtaining a contract for Durante on the Chase & Sanborn radio program has been settled out of court, according to stipulations filed in the N. Y. Supreme Court.

Theatre Changes

Baltimore House Reopens

BALTIMORE, Oct. 10. — The Three Arts Theatre has reopened here under the management of Eureka Productions, importers of French and Spanish pictures. While the chief policy will be imported films, Hollywood product also will be shown.

Open in New Haven Soon

NEW HAVEN, Oct. 10.—The Westville Theatre, under construction by Bailey Bros. here, operators of the Whalley and Whitney Theatres, is scheduled to be opened Election Day.

Reopens House in Iowa

GRINNELL, Ia., Oct. 10.—George Mart has reopened the Strand following extensive remodeling.

Resumes Manager Post

NEW ORLEANS, Oct. 10. — In a change in the management of the Mort H. Singer Liberty, Johnny Quinlan, who had been ill for the past six months, will be in sole charge, replacing Clifford La France, former assistant manager.

Manages Kansas House

KANSAS CITY, Oct. 10.—Nick Kotsis has announced that Marvin Bank, son of Sol Bank of St. Louis, who is associated with Kotsis in the operation of the Lee Theatre at Cherryvale, Kan., will manage the house.

Shift Pittsburgh Managers

PITTSBURGH, Oct. 10.—Alton Rea, assistant manager of the Stanley, a Warner theatre, has been appointed manager of the Regent, replacing Henry Sutton, resigned. William Warrington, Regent assistant, has been named Stanley assistant.

Indianapolis House Reopens

INDIANAPOLIS, Oct. 10.—The Granada, neighborhood closed since July 31, has reopened. Manager Earl Cunningham says that most weeks the house will be open only Thursday, Friday, Saturday and Sunday. Films like "Boom Town," however, will be given a full-week showing.

Reopens Cincinnati Suburban

CINCINNATI, Oct. 10.—Andrew Nicdenthal has reopened the 300-seat suburban Belvedere, closed for the Summer. Niedelthal also operates the Evanston, suburban house.

Renovates Conn. Theatre

OAKVILLE, Conn., Oct. 10.—Rocco Longo has closed the 350-seat Community Theatre for a short renovation period, during which he will reconstruct and modernize the lobby and redecorate the interior.

Detroit Bijou Opens Soon

DETROIT, Oct. 10.—The 1,500-seat Bijou will open here shortly as a first run unit of W. S. Butterfield Theatres.

Miller to Confer on BMI-Ascap Dispute

Although expressing the opinion that a meeting between representatives of bandleaders and broadcasters would be futile, Neville Miller, National Association of Broadcasters president, has accepted Fred Waring's invitation to a conference, it was learned yesterday. A date for the meeting will be fixed today.

Waring requested the conference in an effort to bring about some settlement of the dispute between Broadcast Music, Inc. and Ascap. Miller asserted that Ascap has shown no willingness to negotiate and that the latter organization "has acted as an aggressor against broadcasters and orchestra leaders alike." Miller stressed the fact, however, that he was "willing to meet with any group sincerely interested in resolving the performing rights problem."

Urge Halifax Sunday Shows for Soldiers

HALIFAX, Oct. 10.—A move to permit Sunday film shows here for the duration of the war has been started. The movement is a popular one, with exhibitors taking no part in it.

Leaders point out that there is a need for proper entertainment of men in the armed forces and those in the merchant marine who are waiting here for convoys. It had been proposed originally that churches be kept open for entertainment purposes Sundays but it has now shifted to theatres because the latter are better equipped. Exhibitors are not active because the additional income would be absorbed by the excess profits tax and Sunday is welcomed as a day of rest. However, the general sentiment among exhibitors is to open the theatres as a matter of patriotic duty if public demand is insistent. Religious leaders are opposing Sunday films.

Dismiss 20th-Fox Suit

Federal Judge Murray Hulbert yesterday signed an order dismissing the suit of F. Gilbert Pollay, trading as the 20th Century Music Publishers, against 20th Century-Fox Film Corp. and 20th Century Music Corp. Dismissal was by agreement of both parties. Pallay claimed he had used the name 20th Century Music Publishers since 1913 and demanded an injunction.

FCC Hearings Set

WASHINGTON, Oct. 10.—The Federal Communications Commission tentatively has set hearings Oct. 31 on the application of the Worcester Broadcasting Corp. for a new 1,420-kilocycle, 250-watt broadcasting station at San Diego, Cal., and on Nov. 7 on the contesting applications for J. D. Falvey and the L. & M. Broadcasting Co. for a new 1,210-kilocycle, 100-watt station at Ottumwa, Iowa.

Name Klein 'U' Booker

KANSAS CITY, Oct. 10.—Larry Klein has been appointed head booker at the Universal exchange here. Klein, with Universal as booker in Philadelphia in recent months, spent four years with RKO in Minneapolis as manager and salesman.


KENNY BAKER · FRANCES LANGFORD · HUGH HERBERT · MARY BOLAND · ANN MILLER in
HIT PARADE OF 1941
A REPUBLIC PICTURE
PATSY KELLY · PHIL SILVERS · STERLING HOLLOWAY · DONALD MACBRIDE · BARNETT PARKER · FRANKLIN PANGBORN · SIX HITS AND A MISS
BORRAH MINEVITCH and his HARMONICA RASCALS
AND A BRILLIANT CAST OF SCREEN AND RADIO STARS
JOHN H AUER

NO. 1 IN A SERIES OF ADVERTISEMENTS ON A GREAT MOTION PICTURE

SCHEDULED FOR RELEASE IN THE NOVEMBER 16th, 1940 ISSUE OF LIBERTY MAGAZINE

4 Stars--Extraordinary
3 Stars--Excellent
2 Stars--Good
1 Star---Poor
0 Star---Very Poor

★★★★ "ARISE, MY LOVE"

THE PLAYERS: Claudette Colbert, Ray Milland, Dennis O'Keefe, Walter Abel, Dick Purcell, George Zucco, Frank Puglia, Cliff Nazarro, Michael Mark, Esther Dale, Paul Leyssac, Ann Codes. Screen play by Charles Brackett and William Wilder, based on a story by Benjamin Glazer and John S. Toldy. Directed by Mitchell Leisen. Produced by Paramount.

This exciting romantic melodrama, doubtless inspired by the Dahl case, is as topical as today's newspaper. A young American aviator, Tom Martin, who has been fighting with the Loyalists in Spain, is a prisoner of the Franco forces, condemned to be shot at sunset. Suddenly he learns that his wife has charmed the Spanish high command so efficiently that he has been pardoned, that he may go home with the appealing petitioner. Since Martin has no wife, he is baffled--but appreciative. Then comes the "wife" who is a pretty American newspaper girl on the trail of a big story. They barely make their escape. All this is the fantastic start to a fervid, tense romance taking place just as the Nazi war machine gets under way to roll over Europe.

Foreign Correspondent was a fine yarn of espionage, and the war, this is one of American newspaper folk trying to cover the bloody cataclysm. It has pace, grip, humor. You will like Ray Milland better than you ever have liked him before as the skyman, Claudette Colbert is highly effective as the woman reporter, outstanding bits are contributed by Walter Abel as the harassed head of a Paris news bureau and by Cliff Nazarro as a double-talk newspaper cameraman. A tribute, too, is due Mitchell Leisen's neatly sustained direction.

Paramount rings the Liberty Bell with



FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 74 NEW YORK, U. S. A., MONDAY, OCTOBER 14, 1940 TEN CENTS

Decree Peace Assured; All Obstacles Removed

All Pending Trust Suits Will Be Dropped Against Assenting Companies, as Will Chicago and Coast Contempt Actions

By SAM SHAIN

It's all aboard for the consent decree. Only very little remains to be completed on the document before it is finally presented by the Government and the Big 5 to Federal Judge Henry W. Goddard.

The pending Federal contempt actions in Chicago and Los Angeles will be dropped and the pending court decrees there will be amended so that in substance they will parallel the New York document.

All pending anti-trust suits, wherever pending, will be dismissed as against the producers and distributors.

The provisions in the proposed New York case consent decree on unit selling in blocks-of-five and trade showings stand as drafted.

Another postponement of one week of the hearing on the proposed consent decree scheduled for tomorrow will be asked of Federal Judge Henry W. Goddard by Government attorneys.

However, Government sources indicated over the weekend that there was but little possibility of the decree being presented to the court at the adjourned hearing next week and that a further postponement, also probably of one week, would be asked at that time. The additional time is required solely to complete the redrafting work which is now in progress, and for final conferences and signing.

Government lawyers and company representatives have been arduously engaged over the past few days putting the finishing touches on the document.

Whether Ed Kuykendall's latest visit to the Department of Justice in Washington over the weekend, will have any effect on the document or

(Continued on page 2)

Para.-Warner Product Deal Off in Phila.

Balaban, Warner Will Confer in New York

PHILADELPHIA, Oct. 13.—Unable to reach an agreement with the Warner Circuit here on its new season product, Paramount is selling away from the dominating chain in this area.

Camden, Wilmington and other nearby Warner situations are also affected. So serious is the situation considered by the two companies that, it was learned authoritatively, Barney Balaban, Paramount president, will confer with Harry M. Warner on the matter in New York.

Reports are that key houses in leading neighborhoods are being lined up by Paramount for deals, with Milt Rogasner of the Iris reported to have been signed up. It is also known that Al Boyd and William Goldman are at the signing stage.

The Erlanger may be leased for first runs if the New York conferences fail to effect a settlement.

Warners Selling Away From Sparks Likely

The probability that Warners may sell their new season product away from E. J. Sparks All-Florida circuit,

(Continued on page 2)

'Dictator' Opens in 3 Cities This Month At Advanced Price

Additional openings of "The Great Dictator" have been set for Philadelphia, Pittsburgh and Buffalo, during the latter part of this month. Advanced admission scales will be established for the run of the picture at all three locations, as in New York and Chicago, where opening plans already have been announced.

In addition, a deal for the picture to play the entire Warner Circuit at a later date was closed by Harry Gold, United Artists Eastern and Canadian general sales manager, and Clayton Bond, for the circuit, over the weekend.

The Philadelphia engagement will be at the Aldine, beginning either Oct. 23 or 24. Admissions will be $1.10 evenings and 75 cents for matinees, with continuous showings and no seats reserved after opening night. The same policy will prevail at the Warner, Pittsburgh, where the picture will

(Continued on page 3)

Chaplin Here For Premiere

Charlie Chaplin, star, author and producer of "The Great Dictator," arrived in New York by plane Saturday afternoon. Last night at the Waldorf - Astoria he told the press of the film, in advance of its premiere tomorrow evening at the Astor and Capitol. This was Chaplin's first visit to New York in about 10 years.



Charlie Chaplin

Chaplin estimated that "The Great Dictator" will cost $2,200,000 by the time all costs are computed. He said the picture is pure comedy and satire, and that was his aim in producing it, not propaganda against the totalitarian states.

'Wind' Grossed $1,160,000 At Two Broadway Houses

"Gone With the Wind" closed its 43-week run at the Astor Theatre last night with an estimated total gross of $560,000 for the run, or an average of $13,000 a week. Together with the Capitol gross of about $600,000 for the film's run there of 11½ weeks, the collective Broadway gross was $1,160,000.

The length of the run at the Astor has been exceeded only by "The Big Parade," which played 95 weeks at the Astor. The same comparison applies to grosses on the two films.

With the completion shortly of the Chicago and Los Angeles engagements of "Gone With the Wind," the picture will be taken out of circulation in the United States until next year.

The Selznick film opened last Dec. 19 on Broadway in a double premiere at the Astor and Capitol. The Astor policy was two-a-day reserved from 75 cents to $2.20, while the Capitol played continuous performances at 75 cents to $1.65.

After the completion of the Capitol run, the film continued at the Astor on the same policy and engagements were started at Loew key houses in New York late in March. It also played several selected theatres in the city, such as the Little Carnegie.

During the 10-month run at the Astor, "Gone With the Wind" thus was competing against itself during much of the period, and at lower prices.

Other films having long runs at the Astor are: "Goodbye, Mr. Chips," 26 weeks, in 1939; "Broadway Melody," 26 weeks, 1929; "Pygmalion," 23 weeks, 1938-1939; "Rogue Song," 21 weeks, 1930; "Grand Hotel," 20 weeks, 1932; "Great Ziegfeld," 19 weeks, 1936; "Hollywood Revue," 18 weeks, 1929; "Dinner at Eight," 12 weeks, 1933.

Funeral of Tom Mix On Coast Wednesday

HOLLYWOOD, Oct. 13.—The funeral of Tom Mix, 60, who was killed in an automobile accident near Florence, Ariz., late yesterday, will be Wednesday morning at the Little Church of the Flowers, Glendale. His body will lie in state here Tuesday. He retired from films in 1932, after starring in 370 pictures in 24 years.

Allied States Heads Will Meet on Decree

WASHINGTON, Oct. 13.—A meeting of the Allied States executive committee will be held in Pittsburgh, Oct. 21, to give further consideration to the policy to be adopted by the organization on the proposed Federal decree.

The meeting, which was called by Abram F. Myers, board chairman and general counsel of Allied, over the weekend, will be held in conjunction with the convention of Allied of Western Pennsylvania.

Personal Mention

SIDNEY R. KENT, president of 20th Century-Fox, is expected to return from the Coast about Nov. 1.

•

GEORGE S. LAW, for some time on leave of absence from the Hanson circuit, has rejoined the home office booking department in Toronto.

•

E. J. SPARKS and FRED KENT of the Sparks All-Florida Circuit left for Miami over the weekend after several days of conferences with Warner home office officials.

•

JOHN J. MALONEY, M-G-M district manager in Pittsburgh, celebrates a birthday today.

•

JACK HARRIS, promoted to manage the Holme Theatre in Philadelphia, has returned from Hollywood.

•

WILLIAM QUINLIVEN, Warner exchange manager in Philadelphia, is ill with pneumonia.

•

DALE WOODRUFF, associate manager of the Rialto, Allentown, Pa., has enlisted in the National Guard.

•

SIDNEY KLEPPER, assistant at the Palace, Hartford, Conn., has returned from a honeymoon at Virginia Beach.

•

LEE BOWMAN is here from the Coast.

•

AILEEN BRENON of the Paramount home office publicity department will arrive on the Coast today for a two-weeks' visit at the studio.

•

WESLEY RUGGLES is here for a brief visit before leaving on a South American vacation with MRS. RUGGLES.

Michalove Delays Trip to Australia

Dan Michalove, assistant to Sidney R. Kent, 20th Century-Fox president, has postponed his scheduled trip to Australia for a month, due to the unsettled situation in the Far East. Michalove was to have left for the Coast over the weekend, preparatory to sailing for Australia from Los Angeles. It was to have been his annual four-month inspection trip in connection with 20th Century-Fox's theatre and film interests in Australia.

W. B. Theatre Zone Contest Is Started

PHILADELPHIA, Oct. 13.—Ted Schlanger, Warner zone head, has just instituted a new drive, "The Drive to Meet and Beat the Emergency," with 105 house managers in the nine districts participating for $4,000 cash prizes. Awards are based on the greatest gross increase at each competing theatre with quarterly cash prizes for the leading district, contest ending Aug. 31, 1941.

Managers producing new ideas for revenue in addition to those who conduct outstanding campaigns will also be eligible to compete in the New Joe Bernhard car contest, three autos awarded at the end of the season by the circuit head personally.

U.S. Decree Peace Assured; All Obstacles Are Removed

(Continued from page 1)

compel changes to be made before it is presented for the court's approval in New York remains to be seen.

It is the unofficial opinion of Department of Justice officials that there can be no change and that the decree as drafted represents the best possible result which was to have been obtained by the monopoly suit.

Government Cannot Retreat

It is said to be the Government's position that exhibitors caused the New York suit to be brought and now that the suit is about to be solved, the exhibitors are turning back. However, the Government holds that it cannot retreat now.

There was a brief period in the past few weeks when it seemed that differences between some of the company defendants and the Government regarding some aspects of the pending contempt actions in Chicago and elsewhere might upset all the negotiations. However, the Government has agreed to meet whatever important objections these defendants made and the road to a peace pact is now clear.

United Artists, Universal and Columbia, of course, are taking an independent course in the situation. They expect to present strong objections against the decree to the court.

Exhibitor bodies such as the Allied of New York, of which Max A. Cohen is president, also have stated that it will attempt to obtain the court's disapproval on the pact.

Qualified Approval by Allied

Abram F. Myers, general counsel of National Allied, has given the proposed decree qualified approval, but the organization itself, as a body, has not indicated what its will on the matter is.

Assistant U. S. Attorneys General James Hayes and Robert Wright went to Washington over the weekend to confer with Department of Justice officials there on the proposed changes in the decree advanced by the consenting companies last week, all of which are asserted to be of minor importance. Assistant U. S. Attorney General Thurman Arnold returned to Washington last Friday from an extended trip and received the report of his assistants on developments during his absence. The decree is being presented to him section by section for study.

A sub-committee of the negotiators for both sides is continuing its work here today on the rules of arbitration which will supplement the decree. Further negotiating conferences on the decree itself will be held here tomorrow.

Toronto's Handbill Ordinance Nullified

TORONTO, Oct. 13.—Justice Urquhart of the Appeal Court here has ruled that the municipality of New Toronto cannot enforce a bylaw prohibiting the distribution of handbills, heralds and other printed matter, convictions against two house-to-house distributors being quashed.

The town had put a bylaw into effect to put a complete ban on handbill distribution, but the result of the appeal has put an end to a move on the part of various municipalities in Ontario to prohibit the use of heralds. It was found that such a law is not permissible under the Statutes of Ontario.

Maurice Neilson Dies

ST. JOHN, N. B., Oct. 13.—Maurice Neilson, 32, shipper at the local exchange of Regal Films, died from typhoid fever after a week's illness. He had been on the Regal staff for about seven years. Surviving are his widow and a two-year-old son.

Toronto Sees 'Years'

TORONTO, Oct. 13.—"Sixty Glorious Years," British feature dealing with the life of Queen Victoria, has been released in Toronto after a delay of more than 16 months, although it had been approved by the censors at the start.

'Flames' Opening Set

Paramount's "World in Flames" will have its world premiere at the Columbia Theatre in Washington on Thursday. The film will be released nationally Oct. 25, and will open at the Criterion on Broadway Oct. 23.

Mexican Exhibitors Seek Help in Strike

MEXICO CITY, Oct. 13.—The Mexican Exhibitors Union has appealed to President Lazaro Cardenas and the local Municipal Government for fair play for owners of the Cervantes circuit of five large neighborhood theatres here which have been closed for a month by a strike to enforce demands for almost doubling wages and numerous economic concessions.

Two leading theatres of the port of Vera Cruz, the Eslava and Variedades, are shut by a strike to force the exhibitors to pay higher wages, reduce working hours and grant numerous economic benefits.

Producers Lab Seeks To Enjoin Pickets

Producers Laboratories, Inc., brought suit Friday against M. P. Laboratory Technicians Union, Local 702, to enjoin the union from picketing the company's premises. A strike was called by the union last week following a dispute concerning vacations with pay. A hearing on a motion for a temporary injunction pending final determination of the dispute will be heard in the N. Y. Supreme Court tomorrow.

New 'Ecstasy' Suit

Max Weingarten and Michael N. Wyngate, Inc., have filed suit in N. Y. Supreme Court against Eureka Productions, Inc., Samuel A. Cummins, Jacques A. Koerpel and Rose Chatkin for $100,000 damages. Plaintiffs claim they have a contract to release "Ecstasy," Czech film, with Elekta Films and the defendants are refusing to give it up.

Late Coast Flashes

HOLLYWOOD, Oct. 13. — George J. Schaefer, RKO president, who will arrive here Monday from New York, is expected to remain at the studio for at least two weeks.

Samuel Bronston will leave for New York by plane Monday night to confer with Maurice Silverstone, United Artists chief executive, on distribution plans for "Martin Eden."

Rene Clair, French director, has been signed by Universal to direct "Countess of New Orleans," which will be his first American picture. Joe Pasternak will produce and Marlene Dietrich will be starred.

William Morgan, film editor of Republic's "Hit Parade" and other leading pictures from that studio, has been made a director and assigned to "Bowery Boy" for his first picture.

W. Ray Johnston, Monogram president, has approved plans for a new series of four pictures featuring the "East Side Kids," headed by Leo Gorcey. Sam Katzman will produce.

Para. Selling Away From W. B. in Phila.

(Continued from page 1)

a Paramount affiliate, appeared increasingly likely when Sparks returned to Florida over the weekend without ironing out his differences with the company, despite several days of conferences with Warner home office officials.

It was stated here, however, that the negotiations will be resumed later.

Frudenfeld to Speak

CINCINNATI, Oct. 13.—Arthur Frudenfeld, RKO division manager here, will address the local Better Motion Picture Council Oct. 28 on the history of films.

Belmont Theatre Leased

French Films Import Co., Inc., has leased the Belmont Theatre, the lease to begin at the termination of the run of "Here Is Ireland."

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

'Dictator' Opens in 3 Cities This Month At Advanced Price

(*Continued from page* 1)

open Oct. 25, and at the Great Lakes, Buffalo, where it will open Oct. 31.

Tomorrow night's dual opening of the picture at the Astor and Capitol here will be preceded by a press showing at the Astor tonight. Among those who will attend are the following:

Arthur Hays Sulzberger, Bosley Crowther, Thomas Pryor, Theodore Strauss, Winifred Spear, Howard Barnes, Arthur Folwell, Robert Dana, Kate Cameron, Dorothy Masters, Martin Quigley, Danton Walker, Terry Ramsaye, Sam Shain, Jack Alicoate, Chester Bahn, William White, Maurice Kann, Wanda Hale, Ed Sullivan, Lee Mortimer, Pete Harrison, Walter Winchell, Charles Lewis, Kenneth McCaleb, Ted Friend, Damon Runyon, Tex McCreery, Aileen Creelman, Edmond Bartnett, Archer Winston, Leonard Lyons and Dixie Tighe.

Also: Irene Thirer, William Boehnel, George Ross, Maxine Cook, Frank Farrell, Jack Foster, Rose Pelswick, Jack Smith, Dorothy Kilgallen, Louis Sobol, G. E. Blackford, Paul Schoenstein, Herbert Cohn, Leo Mishkin, Cecelia Ager, Ralph Ingersoll, John McManus, George Lait, Ira Wolfert, Don Sutton, Marian Kendrick, Mark Barron, Westbrook Pegler, Ernest L. Meyer, Walter Lipman, Mike Porter, Otis Weise, Pare Lorentz, Abel Green, Jack Harrison, Jay Emanuel and Don Mersereau.

WHN will broadcast the ceremonies at the premiere from 8:15 to 8:45. Jack Oakie will act as master of ceremonies.

'Bagdad' Trade Shows This Week

Trade showings of Alexander Korda's "The Thief of Bagdad" will be held throughout the country during the week beginning tomorrow. The picture will have its world premiere tonight at the Warm Springs, Ga., Foundation under the sponsorship of President Roosevelt.

Prominent exhibitors in each trade area will act as honorary hosts for the trade showings to be held during the next week. A schedule of the showings follows.

Oct. 15, Blue Mouse, Portland. Oct. 17, Rhodes, Atlanta; Ingersoll, Des Moines; Broadway, Denver; Esquire, St. Louis, and Colony, Cleveland. Oct. 18, Rialto, Pittsburgh; Forrest, Cincinnati; Egyptian, Seattle; Tower, Milwaukee; Esquire, Chicago; St. Louis Park, Minneapolis; Dundee, Omaha; Roger Sherman, New Haven; Brookside, Kansas City; Valencia, Baltimore; Uptown, Boston; Niagara, Buffalo. Oct. 20, Carolina, Charlotte. Oct. 21, Bell, New Orleans, and Melrose, Dallas.

New M-G-M Series

HOLLYWOOD, Oct. 13.—M-G-M is inaugurating a new series featuring Ann Rutherford and John Shelton. The first will be "Keeping Company," with Virginia Weidler. S. Sylvan Simon will direct.

Feature Reviews

"World in Flames"

(*Paramount*)

HERE, in a compilation of newsreel material of expert selection, are the highlights of a decade in the world's history, a decade which began with the virtual economic collapse of the western countries and led step by step to dictatorships and the conflagration touched off by their aggression.

The film imparts a tremendous emotional impact, as it pictures graphically the horror of the modern war of machines to the defenseless women and children of invaded countries. At the same time it carries a ringing challenge to the United States and its peace-loving, free people to arm with all their might to protect themselves from the lengthening shadow of the dictators' ambition-made war.

The picture was produced by Albert J. Richard, Editor of *Paramount News,* and written and documented by William J. Park. Gregory Abbott, Gilbert Martyn and Tom Chalmers supplied the accompaning narrative. Especially effective are the actual war scenes and descriptions of Arthur Menken, Paramount's war cameraman.

Year by year, with the dramatic force of actual pictures, are shown the market crash of 1929; the building of armed legions by Mussolini; the Japanese thrust into China; the German upheaval following the death of Hindenburg, which brought Hitler to power; the grab of Ethiopia; the Spanish revolt, a testing ground for German and Italian men and planes, and the events of the past several years which all the world knows only too well. It is a challenging and provocative screen document.

Running time, 60 minutes. "G."* CHARLES S. AARONSON

"Mozart"

(*Juno Films, Inc.*)

Mozart's struggle for recognition and the devotion of his wife, with whose aid he ultimately achieves fame, is the main concern of this film biography of the immortal composer. His works are heard throughout the film, recorded by the London Philharmonic Orchestra under the direction of Sir Thomas Beecham. The film was made in England by Basil Dean.

The story is in retrospect, starting with a tour of Mozart's home and then via the flashback method, he is seen as a child and already accomplished musician. The story picks up years later as he leaves home seeking fame and fortune which, of course, he realizes only after years of effort.

Although the dialogue is at times awkwardly handled, Stephen Haggard and Victoria Hopper are convincing in the top roles. John Loder is good as the prince seeking the affections of Mozart's wife. The ardent music lover probably will overlook the production flaws.

Running time, 75 minutes. "G."*

"The Face at the Window"

(*Arthur Ziehm, Inc.*)

A series of murders by a grotesque creature known as the "wolf," suspicious characters and eerie situations, against a background of dark Paris in 1880, are concocted into a splendid horror film. The situations are highly implausible, of course, and the film will probably be met with cynical reaction by some audiences, but it is perfect entertainment for the addicts of screen terrorism.

Made in England, the story was originally a play, adapted for the screen by A. R. Rawlinson, and directed by George King. Tod Slaughter. Marjorie Taylor and John Warwick are the principal players.

The tale revolves about the machinations of Slaughter, ostensibly a wealthy financier, who is actually the murderer. In committing the crimes he employs a deformed half-brother, the mere sight of whom stuns the intended victim, who is then stabbed by Slaughter.

Running time, 65 minutes. "G."*

*"G" denotes general classification.

Loach and Golden Leave for Studios

Thomas P. Loach, vice-president and treasurer of Monogram, left by automobile for the Coast, where he will take up permanent quarters.

Edward A. Golden, in charge of sales, left Saturday night by plane, planning stopovers in Buffalo, Cleveland, Detroit, Chicago, Kansas City, Oklahoma City and Dallas.

To Show Mills Coin Machines Monday

James Roosevelt and Fred Mills will hold the Eastern premiere of Mills Panorama Movie Machine and "Soundies" at a press and trade reception at the Starlight Roof of the Waldorf Astoria Hotel next Monday evening. The companies involved are Globe Productions, Inc., and Mills Novelty Co.

Fight to Hold Sunday Films in Reading, Pa.

Reading, Pa., Oct. 13.—The Associated Group of Motion Picture Theatre Managers, organized to retain Sunday films here, fired the first gun in the campaign by placing display advertisements in the local newspapers. In addition, permission was obtained from the city to erect campaign banners across city streets boosting continuance of the Sunday film shows. It was the first time in many years that the city issued a permit for street banners.

Details Completed On Red Cross Film

Arrangements have been completed for the special industry film contributed for the American Red Cross membership campaign starting Nov. 11, according to Major L. E. Thompson, general chairman of the Red Cross Theatres Committee.

Production costs were contributed by Warners, which produced the film. Deanna Durbin and several other stars appear in the short subject, including Edward Arnold, Kay Kyser, James Cagney, Pat O'Brien, Gene Autry and others.

Eastman Kodak donated 2,000,000 feet of film for the prints and DuPont contributed 300,000 feet. Consolidated Film Industries will make all prints at the Fort Lee plant. Nine companies will handle distribution. A second picture is planned, starring Priscilla Lane.

Set Chicago Drive On Community Fund

CHICAGO, Oct. 13.—The drive to raise funds for the Amusement Division of the Community Fund here was launched with a luncheon at the Morrison Hotel.

Jack Kirsch, chairman, John Balaban and Edward Silverman, co-chairmen of the committee, addressed the various exhibitors, labor leaders and exchange officials who were present. The motion picture quota is $25,000.

More Entertainers For Lodge Banquet

Abe Lyman, Milton Berle, Ed Sullivan and Romo Vincent have been added to the program of the B'nai B'rith Cinema Lodge annual banquet and ball Oct. 26 at the Hotel Pennsylvania, according to Robert M. Weitman, chairman of the entertainment committee.

To Play Stage Units

ALLIANCE, O., Oct. 13.—The Columbia, which has been playing first run double features, will play stage units, when available, one or two days each week, according to Ray Wallace, manager.

RKO Signs French Star

Michele Morgan, French star, has been signed to a long term contract by RKO, and is due from Lisbon on the Atlantic Clipper on Wednesday.

THEY KNEW WH

RADIO CITY DRAWING CAPACITY CROWDS . . . WEEK-END BUSINESS THERE AND AT SAN FRANCISCO, CHICAGO, BOSTON, NEW ORLEANS, PROVIDENCE, DETROIT AND COLUMBUS SOARS TOWARD PEAK WEEKS . . . HOLDOVERS SET AND THE YEAR'S GREAT DRAMA READIES FOR MORE BIG OPENINGS THIS WEEK AND NEXT!



Carole

LOMBARD

in "*They Knew W*

DIRECTED BY

with WILLIAM GARGAN · HARRY CAREY · FRANK

T THEY WANTED
IN NEW YORK, TOO!

ATE CAMERON, N.Y. DAILY NEWS—

A finely acted and superbly directed motion pic-ire . . . Story a deeply stirring manifestation of assion in various forms . . . A mixture of hearty omedy and tense drama."

EE MORTIMER, N.Y. DAILY MIRROR—

This tense, powerful portrayal of Sidney Howard's ulitzer Prize-winning play is the best picture to enant the Music Hall since 'Rebecca'. Like that film will receive serious consideration for the Acad-my Award."

OWARD BARNES, N.Y. HERALD-TRIB.—



"Recreates a real chunk of human experience . . . Few enough motion pictures do this, and when one does, it should be saluted . . . It is an excellent film...absorbing and moving . . . deserves to be called distinguished."

WILLIAM BOEHNEL, N.Y. WORLD-TEL.—

"A fine and moving comedy-drama . . . The acting in every way is superb . . . Charles Laughton gives a heartrending performance, and fine jobs are turned in by Miss Lombard and Gargan as the two who sin."

EILEEN CREELMAN, N.Y. SUN—

"The Music Hall carries along still further the current flood of good pictures . . . 'They Knew What They Wanted' is a warmly human drama, a picture that will remain in your mind and your heart for a long, long time."

ROSE PELSWICK, N.Y. JOUR.-AMERICAN—

"Expertly translated to the screen . . . takes its place as one of the season's outstanding productions."

ARCHER WINSTEN, N.Y. POST—

"Everyone connected with 'They Knew What They Wanted' has done a good job."

Charles

LAUGHTON

at They Wanted"

SON KANIN

RKO RADIO PICTURES

ARRY E. EDINGTON, *Executive Producer* • *Produced by* ERICH POMMER • Screen Play by Robert Ardrey • From the Pulitzer Prize Play by Sidney Howard

Showmanship Flashes . . .

Old Jalopy Plugs 'Strike Up the Band'

KANSAS CITY, Oct. 13.—For "Strike Up the Band" at the Midland, John McManus used an old car of the type used by Micky Rooney in the "Andy Hardy" films, and sent it on a tour of the city, visiting football games and other places, with the film credits painted in bright yellow on the body of the car.

Theatre Organizes Book Review Club

PHILADELPHIA, Oct. 13.—The Commodore has organized a Commodore Theatre Book Review Club among its patrons as a tiein on the season's coming product. John Dennis Mahoney, book reviewer, presides at the meeting, talking about one of the better novels of the year, after which the meeting is thrown open for a general discussion. Meetings are held in the theatre lounge before the matinee performance.

Schine Theatres Start Kiddie Klubs in Houses

ROCHESTER, Oct. 13. — All Schine theatres here have started Kiddie Klubs for youngsters attending their houses. Youngsters receive a magazine, including comics and stories, membership cards, emblems and buttons. They're also guests at birthday parties promoted by managers on the stages of theatres.

Williamsburg Earth Used for "Howards"

MIAMI, Oct. 13.—As part of the promotion for "The Howards of Virginia," Sonny Shepherd, manager of the Lincoln, distributed little packets of earth attached to cards saying "This is actual soil of Williamsburg, Va.,—soil on which the immortal heroes of 1776 conceived and fought for the liberty we hold so dear today. This is the soil on which . . . Frank Lloyd filmed many of the scenes for his stirring romance of Colonial America, 'The Howards of Virginia.' Sprinkle this hallowed earth in your favorite flower bed."

Trammel Host to L. A. Army Officers

Niles Trammell, NBC president, was host to 20 Latin American chiefs of staff and their aides Saturday night at the network studios. After dinner, the officers heard President Roosevelt's speech on national defense and, following that, the International division translated the speech to Spanish and piped it to the room where the gathering was seated. Represented were the Governments of Bolivia, Peru, Panama, Costa Rica, Honduras, Guatemala, Dominican Republic, Uruguay and Colombia. Lt. Gen. Hugh A. Drum and Brig. Gen. Irving Phillipson represented the U. S. army.

Warners Seek Cut In Tax Assessments

Warners Bros. and the Stanley Mark Strand Corp. on Friday filed proceedings in N. Y. Supreme Court against the New York City Tax Commission to reduce total assessments of $6,321,500 for 1940 to $3,719,000.

Critics' Quotes . . .

"STRIKE UP THE BAND" (M-G-M)

A hugely entertaining musical show . . . a bit too long and could stand some cutting in its sentimental scenes and its heavy finale, but for the most part the piece is a matter of gay and spontaneous rhythm.—*Rose Pelswick, New York Journal-American.*

Stupendous, to say the least, and perhaps slightly stupefying, too. . . . Devotees of the spectacular, whether it be Mr. Rooney's amazing one-man circus or Mr. Berkeley's gigantic effort, are going to be swept right off their seats by the energy and showmanship displayed.—*Archer Winsten, New York Post.*

What promises to be a rip-roaring hit . . . designed to please young people, plenty of comedy, never subtle.—*Eileen Creelman, New York Sun.*

The plot of "Strike Up the Band" goes in for pathos occasionally—at which time the picture is at its slowest—but it's more than made up for by a lot of swell music, colorful dancing, good laughs and feminine pulchritude.—*Lee Mortimer, New York Daily Mirror.*

Has everything—music, laughter, tears, etc., etc. As usual, everything is a little too much . . . spanking good entertainment.—*New York Times.*

Every inch a show, but leans too heavily on the stereotyped routines of screen musicals.—*Howard Barnes, New York Herald-Tribune.*

Will hardly miss fire with the public. . . . A good cutting job would greatly help this—no question about that; but it is sure to go quite a way in any case.—*Edwin Schallert, Los Angeles Times.*

A laugh-getter filled with fetching tunes, puppy-love, burlesque, smart dance ensembles and a heart tug or two. It spells entertainment in capital letters.—*Jimmy Starr, Los Angeles Herald-Express.*

"RANGERS OF FORTUNE" (Paramount)

There is an element of the unexpected in the way its makers have transmuted a flimsy, routine story into a horse opera with a refreshing sense of humor.—*Newsweek.*

The most thrilling and funny movie brawl of the current Western craze.—*Time.*

A glorified Western, combining humor and tragedy, pathos and gun-fighting . . . the sort of picture that has the youngsters yelling with excitement.—*Boston Daily Globe.*

There are shootings galore and the brilliant director of "Goodbye, Mr. Chips," demonstrating he can cozen up to any script, manages to spice the action with romance and comedy without slowing it up a jot.—*Peggy Doyle, Boston Record.*

For sheer entertainment, it is tops. . . . It has pace and action, laughs and love, and a nice heart-warming quality.—*Boston Post.*

Isn't an outstanding or important photoplay, but audiences will find it competent entertainment somewhat above the standard of the average program Western.—*Garrett D. Byrnes, Providence Journal.*

"CITY FOR CONQUEST" (Warners)

An exciting film . . . as the story unfolds it develops a dramatic tenseness that ends in a walloping climax . . . the picture is distinguished by many fine performances.—*Kate Cameron, New York Daily News.*

A vivid portrayal and a terrific tempo are the distinguishing features . . . arrantly melodramatic . . . well worth seeing only because it has Mr. Cagney displaying the full range of his acting craftsmanship.—*Howard Barnes, New York Herald-Tribune.*

The picture is a splendid success . . . almost frenetic in its action—the tumbling, bursting sort of speed that is part of our daily life.—*Lee Mortimer, New York Daily Mirror.*

Unevenly paced, mounts slowly to a sizzling prizefight sequence, which comes somewhere about the middle, then sags off to a long-drawn agonized finish.—*Bosley Crowther, New York Times.*

Although pulp fiction it may be, it does have the entertainment touch. . . . Mark it down as crisp action stuff; as a fairy tale with a modern sound track.—*Philadelphia Ledger.*

A masterful piece of work in transferring the teeming spirit of a dozen different characters to the screen in an exciting, emotional manner . . . excellent entertainment. It packs a mighty dramatic wallop.—*Jimmy Starr, Los Angeles Herald-Express.*

Sentimental, exciting and warm; it's turbulent and lyrical. It's something the screen doesn't offer every day.—*Virginia Wright, Los Angeles Daily News.*

A credit to Warner Brothers, and both Jack Warner and Hal B. Wallis can put this down as one of their best.—*Louella O. Parsons, Los Angeles Examiner.*

"HAUNTED HONEYMOON" (M-G-M)

Slow and not too exciting as to suspense, "Haunted Honeymoon," based on a novel by Dorothy Sayers, is also short on comedy.—*Laura Lee, Philadelphia Bulletin.*

While entertained by some of the characters and pleasantly aware of Montgomery's light approach to the grim business, we cannot confess to have been surprised by the climax or shocked by the events leading thereto.—*Henry T. Murdock, Philadelphia Ledger.*

The plot is a good one, constructed with interest and unfolded with grace . . . the film is colored by a cast of quaint country characters.—*Elsie Finn, Philadelphia Record.*

Filled with lots of brittle British dialogue and not very much suspense . . . more "cute" than exciting, more determinedly whimsical than absorbing.—*Mildred Martin, Philadelphia Inquirer.*

Seven Executives Promoted by RCA

CAMDEN, N. J., Oct. 13.—Rober Shannon, executive vice-president o the RCA Manufacturing Co., has an nounced seven promotions within th company. E. W. Ritter, former general manager of radio tube manufacturing, has been named vice-president in charge of all the company's manufacturing and production engineering

H. L. Sommerer, former manage of manufacturing, has been name assistant to Ritter covering all manufacturing activities in connection wit the national defense program. E. W Engstrom, former director general o research, has been named manager o all research activities for the com pany, and E. E. Lewis, general administrator of accounts and finance has been appointed assistant vice-president. Other promotions include H. L Beisswenger, I. T. Kitzmiller and E M. Moore as assistant controllers.

Station Asks FCC For Gain in Powe

WASHINGTON, Oct. 13.—The Federal Communications Commission has received an application from Statio WREN, Lawrence, Kan., for increase of night power from 1,000 to 5,000 watts.

Other applications received include requests from Stations WTMA, Charleston, S. C., for change of frequency from 1,210 to 1,220 kilocycles and increase of power from 250 to 1,000 watts; KFIZ, Fond du Lac Wis., for increase of power from 100 to 250 watts, and KRE, Berkeley Cal., for change of frequency from 1,370 to 1,060 kilocycles and increase of power from 250 watts to 500 watts night, 1,000 watts day.

Build New Station In Mexican State

MEXICO CITY, Oct. 13.—Preparations are being completed by the Government of the western state of Jalisco for the installation in Guadalajara, its capital, of a 5,000-watt radio station to be a "commercial and artistic" publicity organ for the commonwealth. Funds for the station were largely supplied by Silvano Barba Gonzalez, governor of Jalisco. Installation is being supervised by John G. Buttner, American radio engineer. The station is to be inaugurated on Nov. 20.

An increase in power to 1,000 watts, justified by the success of the selling of American style air advertising, featured the fiesta celebrating the ninth birthday of Station XEFI, Chihuahua City, an important northern mining and cattle center. The station is to widen its scope in northern Mexico.

Station in Canada Asks Financial Aid

TORONTO, Oct. 13.—That smaller broadcasting stations in Canada are having difficulty is indicated by the fact that the Canadian Broadcasting Corp. has been approached for assistance in order to keep Station CKRC at Revelstoke in operation.

Ford Warner, manager of the station, declared frankly that advertising revenue was entirely inadequate and that the station would have to close down if some form of support were not forthcoming.

'Hired Wife' Gets $21,000, Los Angeles

Los Angeles, Oct. 13.—"Hired Wife" and "The Mummy's Hand" at the Hillstreet drew $10,500, and "Hired Wife," with "The Leather Pushers" at the Pantages took $10,500, also, for a total of $21,000 at both houses. "Foreign Correspondent" in its second week at the 4 Star, accounted for $8,800.

Estimated takings for the week ending Oct. 8:

"Captain Caution" (U.A.)
"Public Deb No. 1" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 6 days. Gross: $6,000. (Average, $12,500)

"Foreign Correspondent" (U.A.)
4 STAR—(900) (55c-75c) 7 days. 2nd week. Gross: $8,800. (Average, $3,250)

"Hired Wife" (Univ.)
"The Mummy's Hand" (Univ.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $10,500. (Average, $6,500)

"Captain Caution" (U.A.)
"Public Deb. No. 1" (20th-Fox)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 6 days. Gross: $8,000. (Average, $14,000)

"Hired Wife" (Univ.)
"The Leather Pushers" (Univ.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $10,500. (Average, $7,000)

"Dance, Girl, Dance" (RKO)
"Golden Gloves" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: Bob Millar and his orchestra. Gross: $12,000. (Average, $18,000)

"Knute Rockne—All American" (W.B.)
"Slightly Tempted" (W.B.)
WARNER BROS. (Hollywood)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $11,500. (Average, $14,000)

"Knute Rockne—All American" (W.B.)
"Slightly Tempted" (W.B.)
WARNER BROS. (Downtown)—(3,400) (33c-44c-55c-75c) 7 days. Gross: $12,400. (Average, $12,000)

'Strike Up the Band' $4,500 in New Haven

New Haven, Oct. 13.—Second week of "Strike Up the Band" and "Charlie Chan at the Wax Museum" took $4,500 at the College. "Spring Parade," dualled with "Pier 13" at the Paramount, grossed $5,700 in nine days.

Estimated takings for the week ending Oct. 10:

"Strike Up the Band" (M-G-M)
"Charlie Chan at the Wax Museum" (20th-Fox)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $4,500. (Average, $2,700)

"The Howards of Virginia" (Col.)
"Gold Rush Maisie" (M-G-M)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $7,500. (Average, $8,000)

"Spring Parade" (Univ.)
"Pier 13" (20th-Fox)
PARAMOUNT—(2,348) (39c-50c) 9 days. Gross: $5,700. (Average, $4,000)

"Kit Carson" (U. A.)
"Slightly Tempted" (Univ.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $4,300. (Average, $5,000)

'Wife,' Barron Band Gets $14,300, Omaha

Omaha, Oct. 13.—"Hired Wife" with Blue Barron's orchestra on the stage of the Orpheum, drew $14,300 in a fair week.

Estimated takings for the week ending Oct. 9-10:

"The Great McGinty" (Para.)
"Men Against the Sky" (RKO)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $4,400. (Average, $4,000)

"City for Conquest" (W. B.)
"Mystery Sea Raiders" (Para.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $7,200. (Average, $6,000)

"Hired Wife" (Univ.)
ORPHEUM—(3,000) (40c-55c) 7 days. Stage: Blue Barron and his orchestra. Gross: $14,300. (Average, $7,200)

Penner, 'Nobody' $16,000, Milwaukee

Milwaukee, Oct. 13.—Joe Penner in person and "I'm Nobody's Sweetheart Now" on the screen connected at the Riverside for $16,000. Runner-up was "Hired Wife" and "Pastor Hall" at the Warner with $6,800.

Estimated takings for the week ending Oct. 8-10:

"Hired Wife" (Univ.)
"Pastor Hall" (U. A.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $6,800. (Average, $4,500)

"Rangers of Fortune" (Para.)
"I Want a Divorce" (Para.)
PALACE—(2,400) (30c-40c-55c) 7 days. Gross: $5,600. (Average, $4,000)

"I'm Nobody's Sweetheart Now" (Univ.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Joe Penner. Gross: $16,000. (Average, $6,500)

"Brigham Young—Frontiersman" (20th-Fox)
"Public Deb. No. 1" (20th-Fox)
STRAND—(1,400) (30c-40c-55c) 6 days. Gross: $1,700. (Average, $1,500)

"Strike Up the Band" (M-G-M)
"Sky Murder" (M-G-M)
WISCONSIN—(3,200) (30c-40c-55c) 6 days, 2nd week. Gross: $5,500. (Average, $5,500)

'Band' Big $17,500 Cincinnati Gross

Cincinnati, Oct. 13.—"Strike Up the Band" gave the RKO Palace a big $17,500. "I Want a Divorce" drew $5,800 at the RKO Grand. The final World Series games played here, and the celebration following the final outcome, hurt theatre attendance with grosses decreasing correspondingly.

Estimated takings for the week ending Oct. 8-12:

"Brigham Young—Frontiersman" (20th-Fox)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $9,800. (Average, $12,000)

"Strike Up the Band" (M-G-M)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $17,500. (Average, $10,000)

"Foreign Correspondent" (U. A.)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days, 2nd week. Gross: $4,300. (Average, $5,000)

"Spring Parade" (Univ.)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $4,600. (Average, $5,500)

"I Want a Divorce" (Para.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $5,800.

"Captain Caution" (U. A.)
RKO LYRIC—(1,400) 28c-33c-42c) 7 days. Gross: $2,700. (Average, $4,500.)

"The Leather Pushers" (Univ.)
"That Gang of Mine" (Mono.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)

"Fugitive from a Prison Camp" (Col.)
"The Way of All Flesh" (Para.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)

"Angels Over Broadway" (Col.)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $3,500. (Average, $5,000)

'Band' at $15,000 Best in Baltimore

Baltimore, Oct. 13.—"Strike Up the Band" drew $15,000 at the Century. The Stanley did $12,000 with "City for Conquest."

Estimated takings for the week ending Oct. 10:

"Strike Up the Band" (M-G-M)
CENTURY—(3,000) (15c-28c-44c) 7 days. Gross: $15,000. (Average, $10,000)

"Dance, Girl, Dance" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. With vaudeville including Jay C. Flippen, Larry Adler and Mills Bros. Gross: $12,500. (Average, $14,000)

"Spring Parade" (Univ.)
KEITH'S—(2,406) 15c-38c-33c-44c) 7 days, 2nd week. Gross: $6,500. (Average, $9,000)

"Dr. Kildare Goes Home" (M-G-M)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $6,000. (Average, $7,000)

"City for Conquest" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $12,000. (Average, $12,000)

STEP RIGHT UP
GENTLEMEN . . . WHETHER
YOU'RE FOR WILLKIE
OR ROOSEVELT . . .

This Party

WILL WIN
YOUR VOTE!

The No. 1 Banquet of the Year
— America's No. 1 Weekend
Pleasure Jaunt for Exhibitors and Film Execs!

VARIETY CLUB
12th ANNUAL BANQUET

Presented in honor of Retiring Chief Barker

C. J. LATTA

And His Associate Officers

Burt Bishop — Art Endland — M. A. Rosenberg
Al Weiblinger — Mike Shapiro — Mike Gallagher
Brian McDonald — Elmer Ecker — George D. Tyson

at the

WM. PENN HOTEL

PITTSBURGH, PA. - OCT. 20, 1940 - 7:00 P.M.

In addition to the most distinctive and original banquet in America
YOU WILL SEE

PITT VS. FORDHAM

FOOTBALL GAME ON OCT. 19

BANQUET $11, FOOTBALL TICKETS $2.75 and $3.30

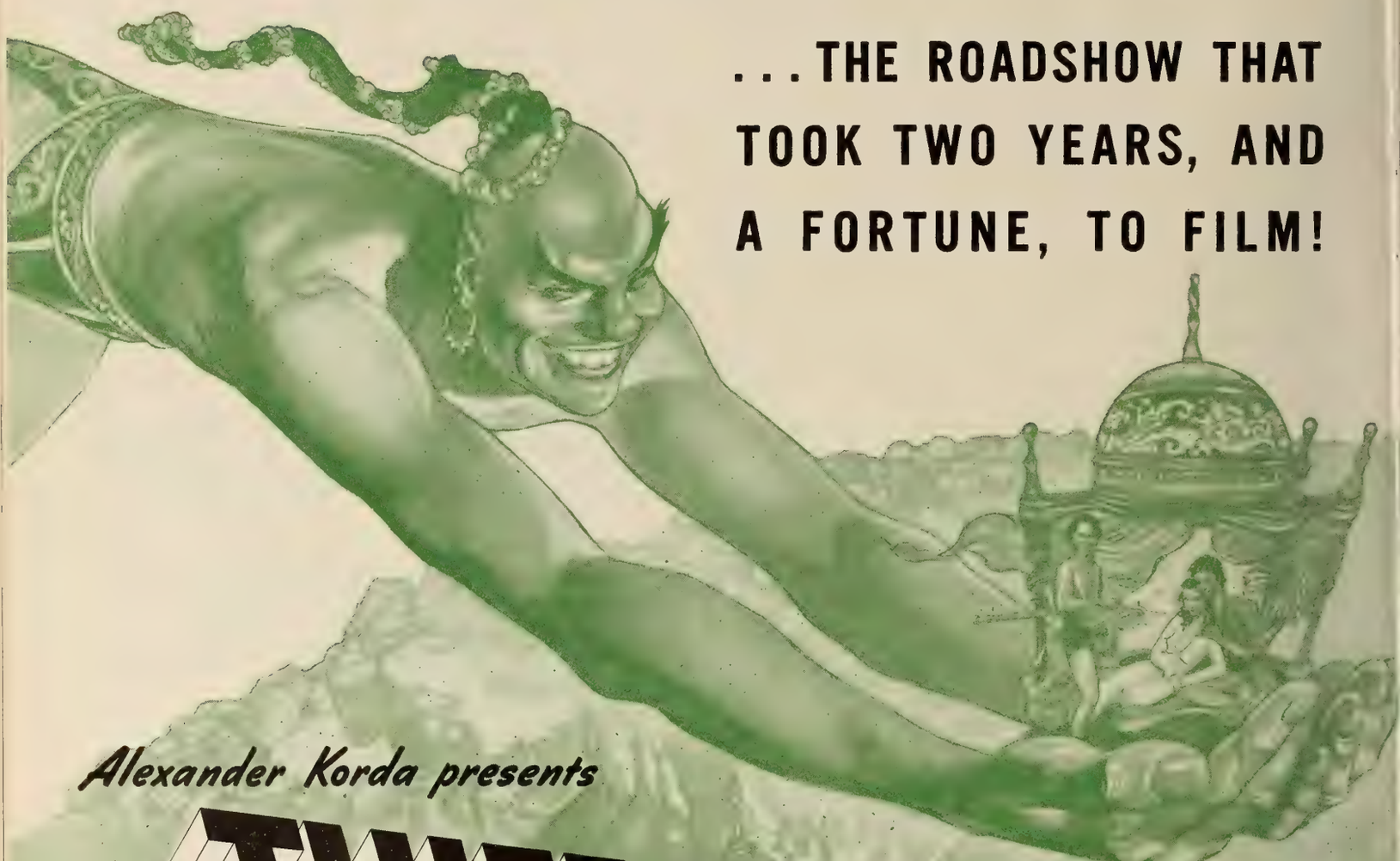
For reservations, write or wire

JOHN H. HARRIS

FIRST OFFICE FLOOR, WM. PENN HOTEL

Right in the Palm of Your Hand

. . . THE ROADSHOW THAT TOOK TWO YEARS, AND A FORTUNE, TO FILM!



Alexander Korda presents

THE THIEF OF BAGDAD

in Magic Technicolor!

SHOWMEN PREVIEWS IN ALL KEY CITIES

Starting THURSDAY and FRIDAY

October 17th and 18th

Your branch manager has tickets for you and your family. Contact him immediately and see the picture that dwarfs all other screen spectacles!

In the Los Angeles area, exhibitors will view its tremendous audience appeal during the $2.20 long-run engagement starting Thursday, October 17th, at the Carthay Circle.

Released thru **UNITED ARTISTS**

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 75 NEW YORK, U. S. A., TUESDAY, OCTOBER 15, 1940 TEN CENTS

Myers Asks Decree Views Of Leaders

Wants Expressions Not Limited to 5-Block

WASHINGTON, Oct. 14.—Abram F. Myers, chairman and general counsel of Allied States, in a communication addressed to trade papers, asks for statements from Ed Kuykendall, M.P.T.O.A. president, and Harry Brandt, president of the New York I.T.O.A., setting forth their views on all phases of the proposed Federal consent decree.

"If they will state that their opposition is based wholly on the five-picture plan, then all exhibitor groups and public groups will stand on common ground," Myers said, after pointing out that the Motion Picture Research Council, which he described as the "clearing house for public groups on motion picture affairs," also opposes the five-picture plan.

Negotiations on Final Decree Draft Today

Negotiations on the final draft of the consent decree will be resumed in New York today. Government representatives express the hope that the work will be completed by the end of the week, in order that a final conference may be held early next week at which time it is hoped that the consenting companies and the Government will be in a position to approve and sign the document.

The hearing set for today before Federal Judge Henry W. Goddard is scheduled to be postponed for one week.

Meet Today to Set Drama Guild Pact

Representatives of film companies, Broadway producers and the Dramatists Guild will meet this afternoon to consider final adjustments to be made to the minimum basic agreement which will permit film companies to buy rights to Broadway plays in advance of production. Chief difficulty remains the insistence of the companies on the right to use an employe to produce a play if no first rate manager is available, while the Broadway managers are seeking a ban on outsiders.

The Guild council Friday agreed to a maximum of $200,000 on film rights, provided the dramatist thereafter received a share of the play's profits.

'Dictator' to Have Premiere Tonight At Astor, Capitol

Charlie Chaplin's first picture in nearly five years, "The Great Dictator," will have its formal world premiere tonight at two Broadway theatres, the Astor and the Capitol. It will be the first dual opening on the street since "Gone With the Wind" opened at the same two houses on Dec. 19, last.

Ranking industry executives, and leaders in the social and political life of the city will be among those attending the opening.

Chaplin, Paulette Goddard and Jack Oakie, who play the three leading roles in the picture, will attend the premiere.

Last night a capacity audience crowded the Astor to attend a press preview of the film. Newspaper, trade paper and magazine critics, as well as the executives of New York daily newspapers and news syndicates were present.

Following the premiere, the film will continue at the Astor on a two-day, reserved seat policy, while the Capitol run will be continuous, at advanced admissions.

A partial list of those who are scheduled to attend tonight's dual opening includes:

H. G. Wells, Mr. and Mrs. J. D. Hertz, Martin Quigley, Lion Feucht-

(*Continued on page 6*)

Schaefer to Discuss Deal With Capra

HOLLYWOOD, Oct. 14.—A deal for Frank Capra to join RKO or, alternatively, for that company to distribute Capra's pictures, is scheduled to be discussed within the next few days, following the arrival from New York today of George J. Schaefer, RKO president. Schaefer is scheduled to remain here about four weeks.

FWC Closes Deal On 'The Dictator'

A deal for Charlie Chaplin's "The Great Dictator" to play the Fox West Coast circuit was closed yesterday, the second national circuit deal to be set within the past few days. The first was closed with the Warner circuit late last week. The picture is being sold at terms of 70-30.

United Artists district managers will meet at the home office today to confer with Harry L. Gold and J. L. Schlaifer, vice-presidents and general sales managers, on the sales plans for the picture.

See Settlement Of Para., W. B. Phila. Dispute

The possibility of a settlement of the differences between Paramount and Warners' Philadelphia area circuit over terms for the former's new season product appeared to have been revived yesterday following transfer of the negotiations from Philadelphia to New York.

Barney Balaban, Paramount president, reportedly conferred with Harry M. Warner following the breakdown of the negotiations in Philadelphia late last week. Yesterday, negotiations were resumed here by Neil F. Agnew, Paramount vice-president and distribution chief; J. J. Unger, Paramount Eastern division sales manager; Joseph Bernhard, Warner Circuit head, and Clayton Bond, circuit film buyer.

The conferences will continue today, it was stated last night. The negotia-

(*Continued on page 6*)

Para. Partners to Have Voice in Planning 1941-'42 Product Lineup

Paramount theatre partners will be given a voice in planning the company's 1941-'42 production schedule. A number of partners will accompany home office executives to the studio about Nov. 10 for conferences with production executives on the plans for next season.

Barney Balaban, Stanton Griffis, Neil Agnew, Leonard Goldenson and Sam Dembow will head the home office group which will participate in the conferences with Y. Frank Freeman, William LeBaron and other studio executives. Goldenson and Dembow will conduct a meeting of Paramount's theatre partners in Chicago, Nov. 7 and 8, and will continue to the Coast thereafter with a number of the company's theatre associates.

Broadway Has Best Weekend Of New Season

Holiday, World's Fair Draw Big Crowds

Broadway enjoyed its biggest weekend of the new season over Saturday and Sunday with a double holiday bringing more than a million visitors into the Metropolitan area. Crowds at the World's Fair toppled existing records for the season on Saturday and set a new mark Sunday which exceeded Saturday's.

The Automobile Show opened over the weekend and also drew large crowds but failed to offer serious opposition to the film box-offices. Transportation facilities were taxed as thousands entered and left the city.

Total grosses were augmented by the fact that holiday scales were in effect Saturday.

"They Knew What They Wanted," with a stage show, at the Music Hall after a slow start came through on Saturday and played to almost absolute capacity at every performance over the weekend for an estimated $60,000 for the first four days. It will be held over.

At the Roxy, "Spring Parade," with a stage show, in its second week, drew an estimated $33,500 for the first four days of the final week. The Roxy has changed its opening day from Fridays to Thursdays, starting with "Down Argentine Way" this week. At the Rivoli, "Long Voyage Home" had a big weekend and should end its first week tonight with an

(*Continued on page 6*)

Schine Dismissal Asked by Columbia

BUFFALO, Oct. 14.—Judgment dismissing the Government's complaint against the Schine Circuit and major distributors is petitioned by Columbia in answers to the Government's bill of particulars filed in Federal court here today.

The company entered general denials to all of the Government's major allegations in the answers filed by Schwartz & Frohlich, Columbia attorneys. An affidavit signed by Louis J. Barbano, Columbia assistant treasurer, accompanied the answers. Columbia is the last of the defendants in the action to file answers, having petitioned and won a separate bill of particulars from the Government.

Nazis Threaten to Shut Paris Houses

German authorities in France threaten to close Paris houses if patrons continue to applaud scenes such as those showing destruction in Germany by British planes, according to dispatches received here.

MPTO of N. Y. Will Open Two Branches

BUFFALO, Oct. 14.—M.P.T.O. of New York State, Inc., which recently completed organization with headquarters here, plans to open branch offices in Syracuse and Albany before the end of the year. Executive vice-presidents will be in charge of each zone. A. C. Hayman of Buffalo is president.

A membership campaign is under way, and officials plan an enrollment of several hundred exhibitors throughout the state with the exception of Greater New York, where Allied Theatre Owners is the M.P.T.O.A. affiliate.

By Amphibian to Short

M-G-M will preview its short, "Eyes of the Navy," at the Naval Reserve Aviation Base, Floyd Bennett Field, today. Guests will be transported from the Battery to the field by amphibian plane.

Loder's Sister Killed

HOLLYWOOD, Oct. 14.—Word has been received here by John Loder, British player, of the death of his sister, Mrs. Redmond McGrath, in England as a result of a bombing raid.

MAINLINERS to

Los Angeles



NO CHANGE OF SLEEPERS

The Continental Lv. 7 pm

The Overland Flyer Lv. 10:40 pm

Luxurious thru coast-to-coast Mainliners — at United's high, smoother flight levels.

Travel agents, hotels, or

UNITED AIR LINES

67 Wall St. or 58 E. 42nd St.

MU-2-7300

Personal Mention

JACK COHN, vice-president of Columbia, is due today from studio conferences.

•

BOB MOCHRIE, Eastern and Southern division sales manager for RKO, is on a 10-day tour of Southern exchanges.

•

JEAN CLARK, daughter of the late JOHN D. CLARK, who was general sales manager of 20th Century-Fox, and CHRISTIAN HEIDT of that company's home office print department will be married on Friday.

•

CHARLES PRUTZMAN, ARTHUR MAYER, CHARLES PAINE, MORRIS FREEMAN, MAURICE BERGMAN and I. E. LOPERT at the Tavern yesterday for lunch.

•

BENN JACOBSON, FRANK PHELPS, AL ALTMAN, TOM CONNORS, CLAYTON BOND, SAM SHAIN, JOHN D. HERTZ, JR., TOM FIZDALE, JOHN BUCHANAN, VINTON FREEDLEY, CHARLES CURRAN, LAUDY LAWRENCE, MORT SPRING, DAVE BLUM, WILLIAM MELNIKER, DENNIS KING, JOHN BYRAM, LOWELL CALVERT, BOBBY CLARK and ROBERT BENJAMIN having lunch yesterday at Sardi's.

BEN KALMENSON, Western and Southern sales manager for Warners, returned to his office yesterday after a four-weeks tour of exchanges.

•

ABE SCHNEIDER, Columbia treasurer, returns from the Coast late this week.

•

JAMES MULVEY, JOSEPH MOSKOWITZ, JEAN PARKER, LOU BRANDT and JOSEPH PINCUS lunching at Lindy's (51st St.) yesterday.

•

EDDIE GRAINGER, WILLIAM F. RODGERS, J. J. UNGER, CHARLES E. MCCARTHY, TOBY GRUEN, OSCAR DOOB, WALTER READE and CHARLES SONIN lunching at Nick's Hunting Room in the Astor yesterday.

•

HARRY BLUMBERG, manager of National Theatre Supply Co., Philadelphia, is ill at Mt. Sinai Hospital there with pneumonia.

•

A. M. VAN DYKE, Chicago salesman for 20th Century-Fox, is in a local hospital with a foot infection.

•

RITA O'CONNOR of TED O'SHEA's M-G-M district office here and CHARLES W. RUMPF have announced their engagement.

Annenberg Theatres Sue Fox Wisconsin

MILWAUKEE, Oct. 14.—Breach of contract is charged by the Tower and Oriental Theatre companies here controlled by M. L. Annenberg in an action in Circuit Court against Fox Wisconsin Amusement Co.

Plaintiffs charge Fox with failing to use methods most conducive to profitable operation of the properties in the period 1934 to 1937 when Fox operated for Annenberg. Preference in bookings for the Fox circuit's Downer and State theatres is charged, although these houses have lower admissions. Fox Wisconsin denies the charges.

Brandt to Speak At Ampa Meeting

Harry Brandt, president of the I.T.O.A., will be guest speaker at the luncheon meeting of the Ampa scheduled for Thursday at the Hotel Edison. Joe E. Brown and Garson Kanin also are expected to address the meeting.

Lab Strike Settled

Strike of M. P. Laboratory Technicians Union, Local 702, at Producers Laboratories was settled yesterday by arbitration. Arbitrators awarded union members one week's salary in lieu of vacations. The strike started last week because, the union charged, members were denied vacations which should have been granted before Sept. 30.

Reception for Laughton

W. G. Van Schmus, managing director of Radio City Music Hall, will be host to the press at a cocktail reception for Charles Laughton in the theatre's studio apartment this afternoon. Laughton is co-starred in "They Knew What They Wanted," the current attraction at the theatre.

All Major Nets Will Have Coast Outlets

HOLLYWOOD, Oct. 14.—All major networks will have Hollywood outlets, it was disclosed over the weekend, as KHJ, Don Lee station, a Mutual affiliate, closed a deal to take over the former NBC quarters. The lease is for five years and marks the final step in the decentralization of Don Lee radio and research activities.

The erection of a new television transmitter for W6XAO is about half finished, it was said.

Warm Springs Sees Opening of 'Bagdad'

WARM SPRINGS, GA., Oct. 14.—Under the auspices of President Roosevelt, and presented by the Warm Springs Foundation, "The Thief of Bagdad,' had its world premiere here today before the 96 child patients of the institution.

Sabu and June Duprez, stars of the film, attended from Hollywood. A premiere party was held last night in Georgia Hall, with Sabu, Miss Duprez and two of the patients providing the entertainment.

Gledhill to New York

HOLLYWOOD, Oct. 14.—Donald Gledhill, executive secretary of the Academy of M. P. Arts and Sciences, will leave tomorrow for New York by plane to confer with Walter Wanger, Academy president, on the organization's program.

McCallum Dies

ROCHESTER, Oct. 14.—Burnside McCallum, 67, president of the old Seneca Camera Co., and for several years a special sales representative of Eastman Kodak here, died here over the weekend.

Warner Subject to Help S.A. Relations

Hollywood, Oct. 14.—Describing it as "a definite move to cement relationships between the Americas," Warners over the weekend announced that it would make a two-reel subject on South America. Jack Scholl is writing the script, to be made in color under the supervision of Gordon Hollingshead.

Jean Nugelesco will direct the subject, which will be a combination travelogue and a gaucho western, "extolling the virtues of the country and demonstrating the unity of the Western Hemisphere."

W. R. Lynch Leaves Miami Circuit Post

MIAMI, Oct. 14.—W. R. Lynch, general manager of Paramount Enterprises, Inc., local 13-theatre circuit, since January, 1937, has resigned because of ill health. Hy Fine, formerly connected with M. & P. Theatres as district manager in New Haven, will succeed Lynch.

Under Lynch, the circuit experienced its greatest expansion. The Sheridan was built, the Paramount completely remodeled, and the Tivoli and Cinema Casino added. Two new theatres, as yet unopened, will join the Paramount circuit, the Boulevard and the Lincoln Road.

Sternberg Succeeds Fine

BOSTON, Oct. 14.—Robert Sternberg, in charge of M & P Boston downtown theatres for more than 12 years, now adds the district management of M & P houses to his duties, succeeding Hy Fine.

Lawrence to Europe

Laudy Lawrence, Continental European manager for Loew's, is scheduled to leave for Lisbon on the *Clipper* tomorrow. He will make a survey of the company's properties in unoccupied areas, remaining abroad indefinitely.

'U' Signs LaCava

HOLLYWOOD, Oct. 14.—Universal today signed Gregory LaCava to produce and direct "Back Street," starring Margaret Sullavan and Charles Boyer. Bruce Manning will be his associate.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc.

Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

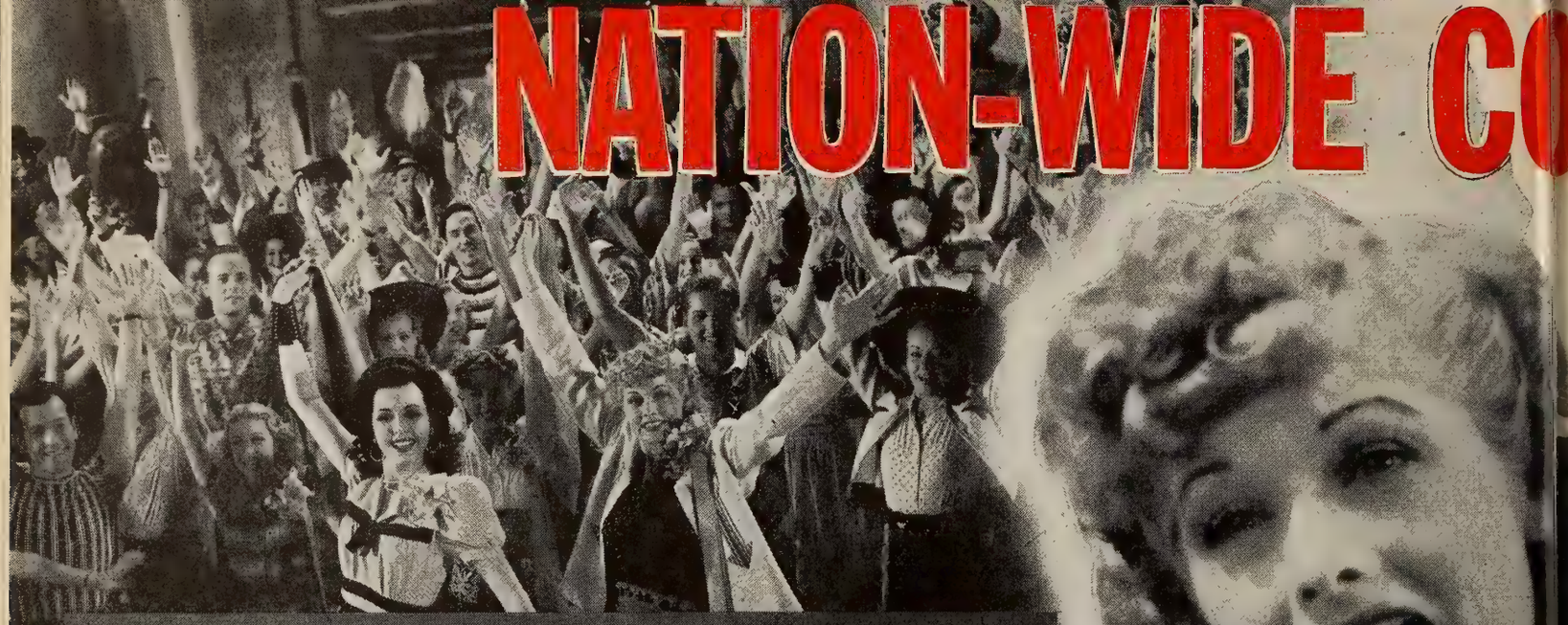


They thought it was a quake in California—but it was only the breaking of the log jam in Paramount's

"MOON OVER BURMA"

Harvest "MOON" to you!

Paramount Pictures



FILM DAILY ***says . . .*** **"Ranks among the best . . . a sure-fire attraction . . . seethes with fun-poking, crisp dialog, love interest galore, spectacular dancing and a pack of slick songs!"**

MOTION PICTURE DAILY ***says . . .*** **"One of the top musicals . . . 10 musical numbers, the finale being one of the most outstanding seen on the screen."**

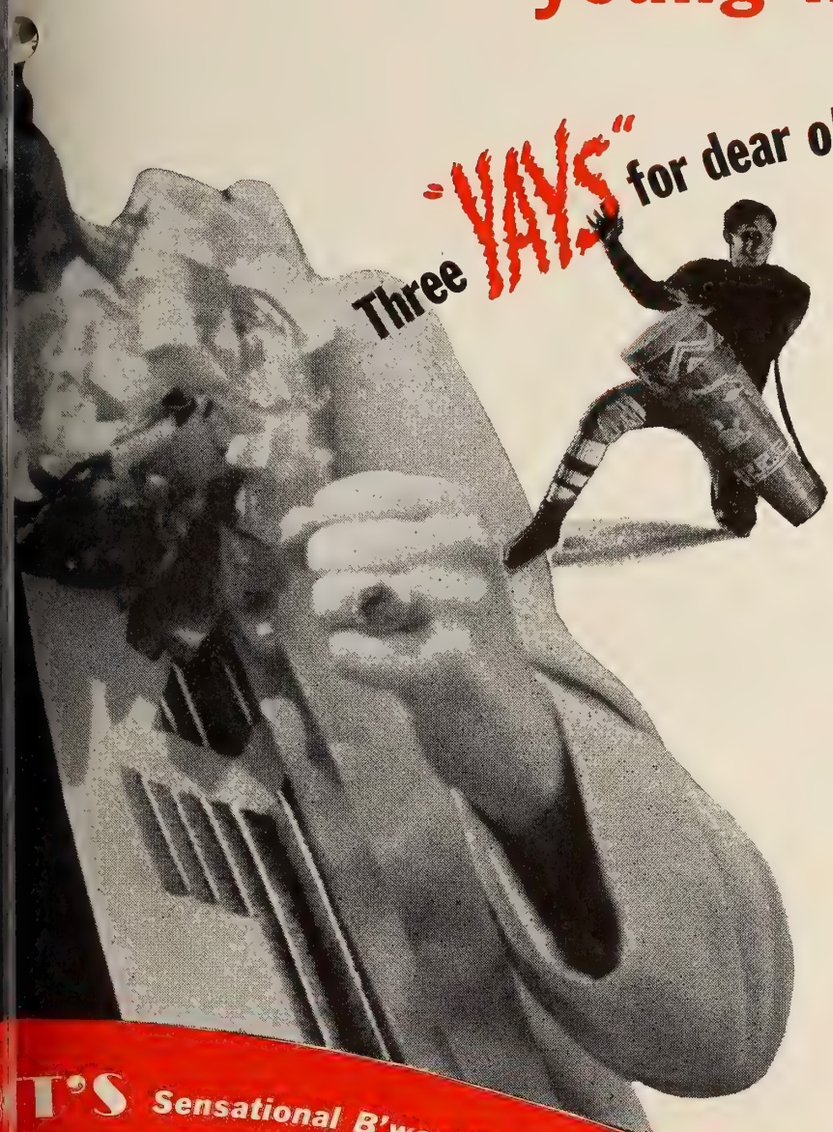
HOLLYWOOD VARIETY ***says . . .*** **"Probably the fastest stepping and most exuberant musical ever turned off the screen — an orgy of gyrating youth, gaiety, flirtatious nonsense which is right down the groove."**

HOLLYWOOD REPORTER ***says . . .*** **"Its numbers are top flight and each has sock entertainment . . . proves that the screen is far ahead of the legitimate in entertainment."**

LOUELLA O. PARSONS, L. A. EXAMINER ***says . . .*** **"A whirlwind of gay songs, dances, football, college and pretty girls . . . delighted the preview audience at Pantages last night."**

LLEGE TOWN OPENINGS

for the big musical made for the young in heart everywhere!



Three "VAYS" for dear old "POTAWATTOMIE" from the gangs at

University of Illinois
CHAMPAIGN, ILL.

Alabama Polytechnic
AUBURN, ALA.

University of North Carolina
CHAPEL HILL, N. C.

University of Alabama
TUSCALOOSA, ALA.

University of New Mexico
ALBUQUERQUE, N. M.

University of Nebraska
LINCOLN, NEB.

University of Texas
AUSTIN, TEX.

University of Colorado
COLORADO SPRINGS, COLO.

University of Wisconsin
MADISON, WISC.

University of Tennessee
KNOXVILLE, TENN.

University of Idaho
MOSCOW, IDAHO

University of Miami
MIAMI, FLA.

Washington State
PULLMAN, WASH.

University of Missouri
COLUMBIA, MO.

University of Michigan
ANN ARBOR, MICH.

University of Kansas
LAWRENCE, KAN.

T'S Sensational B'way Musical Comedy Success!

MANY GIRLS

CARLSON · ANN MILLER · EDDIE BRACKEN
SI ARNAZ · HAL LeROY

RKO RADIO PICTURES

Produced and Directed by GEORGE ABBOTT
HARRY E. EDINGTON, Executive Producer
Screen Play by JOHN TWIST

Broadway Has Best Weekend Of New Season

(Continued from page 1)

estimated $40,000. It will be held over.

Making way for "The Great Dictator" tonight, "Strike Up the Band" at the Capitol drew an estimated $40,000 for the final 10 days. The final six days of "Gone With the Wind" at the Astor were good for an estimated $14,000. In its third week at the Strand, "City for Conquest," with Bobby Byrne's band on the stage, drew an estimated $14,000 for the first three days. "Knute Rockne—All American," with Woody Herman's band on the stage, opens Friday.

"I Want a Divorce" at the Paramount with Frankie Master's band on the stage grossed an estimated $14,000 over the weekend and should finish its second week tonight with an estimated $28,000. "Arise My Love" with a stage show headed by Tommy Reynolds' band, Jon Hall and Frances Langford opens at the Paramount tomorrow. "Let George Do It" grossed an estimated $2,000 over the weekend at the Globe.

See Settlement of Para.-W.B. Dispute

(Continued from page 1)

tions involve Warner situations in Wilmington, Camden and the surrounding territory, as well as Philadelphia.

Meanwhile, it was learned that Warners is giving consideration to encouraging the construction of theatres in Florida in competition with the E. J. Sparks All-Florida circuit, a Paramount partnership, with which it has been unable to agree on terms for the Warner new season's product. Extended conferences have been held by the principals here and in Florida without an agreement having been reached. It was stated, however, that further conferences may be held.

Admiral Trial Set For Nov. 7 in Phila.

PHILADELPHIA, Oct. 14.—Trial of the anti-trust suit filed against major distributors by David and Reuben Shapiro last January has been set for Nov. 7 in Federal court here.

The plaintiffs, who operate the Admiral here, are asking triple damages of $225,000 for allegedly having had its product supply cut off when it attempted to reduce admissions to compete with affiliated theatres in this territory.

Pre-trial Session In La Crosse Suit

MADISON, Wis., Oct. 14.—A pre-trial conference was held here today in the La Crosse Theatre Co.'s $1,050,000 anti-trust action against U. A., 20th Century-Fox, Paramount, Minnesota Amusement and Welworth Theatres, Inc. Tentative trial date in U. S. District Court here has been set for Oct. 21, with the possibility it may be deferred a week for depositions.

Hollywood Review

"Third Finger, Left Hand"

(M-G-M)

HOLLYWOOD, Oct. 14

M-G-M's "Third Finger, Left Hand" is a blithe farce calculated to make audiences forget any and all troubles, provide entertainment for small town and big town. It stars Myrna Loy and Melvyn Douglas in roles as good if not better than anything they have had before, and gives them fast-moving dialogue, rapid action and an excellent plot in which to cavort.

The story, zaney though entirely plausible, has Miss Loy, a magazine editor, posing as a married woman in order to evade matrimonial and other proposals. She meets Douglas, an artist, who falls in love with her. They quarrel when he discovers that she is "married." He investigates and, learning the ruse, which she has managed to carry on for some time with the explanation that her husband is constantly traveling, moves in on her and her family, posing as the "mate." Complications come furiously, with the couple really getting married so that they can get legally divorced, each revenging himself for embarrassment caused his respective friends, and the film ending on a new high note for comedy.

Supporting the stars are Raymond Walburn, Lee Bowman, Bonita Granville, Felix Bressart, Donald Meek, Ann Morriss, Sidney Blackmer, Ernest Whitman and Halliwell Hobbes. Whitman, the Negro porter, called upon to pose as a lawyer in order to delay the signing of a contract, does an outstanding bit.

Robert Z. Leonard created a well-paced piece of entertainment in this John W. Considine, Jr., production. Lionel Houser, who wrote the original screenplay, did an excellent job.

Running time, 90 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Certify AFL Unit on Studio Scenic Work

WASHINGTON, Oct. 14.—The National Labor Relations Board today announced that it had certified the Brotherhood of Painters, Decorators and Paper Hangers of America (AFL) as the sole bargaining representative of scenic artists and assistant scenic artists at Warners, RKO, 20th Century-Fox, Columbia, Loew's, Universal, Samuel Goldwyn Studios, Paramount and Hal Roach Studios.

The certification was based on elections conducted Sept. 26 and 27 in which 58 votes were cast for the union against 16 for the Scenic Arts Association of America.

RCA Sets Five-Year Loan of $15,000,000

RCA has arranged bank loans totaling $15,000,000 for five years at 1½ per cent, David Sarnoff, president, announced yesterday. The loan was made to expand research and production facilities to speed national defense orders for radio equipment and generally increased orders.

Griffith Filing Extended

OKLAHOMA CITY, Oct. 14.—Time for filing answers or objections to the Government's interrogatories in the anti-trust suit against Griffith Amusement Co. and major distributors has been extended to Oct. 31.

New Wage-Hour Definitions For Industry's Employes

WASHINGTON, Oct. 14.—The wage-hour division of the Department of Labor has announced new definitions of the terms "executive," "administrative" and "professional" employes as used in the Fair Labor Standards Act, classifying as a professional worker an employe receiving $200 or more in monthly salary and who, among other things, is engaged in work "predominantly original and creative in character in a recognized field of artistic endeavor as opposed to work which can be produced by a person endowed with general manual or intellectual ability and training, and the result of which depends primarily on the invention, imagination or talent of the employe."

Announcing the new definitions, Wage-Hour Administrator Philip B. Fleming explained that this provision "has been added to allow the exemption of employes in the artistic professions in the broad sense of the word."

"The report and recommendation showed that this is meant to include certain employes who are writers, photographers, motion picture actors, musicians, painters, etc.," he added.

The new definitions were based on a report by Harold Stein, assistant director of the hearings branch, who last Summer conducted lengthy hearings at which representatives of the motion picture and other industries submitted their views as to how the terms should be defined.

Persons classified as professional workers under the definition are exempt from the overtime provisions of the wage-hour act.

'Dictator' to Have Premiere Tonight At Astor, Capitol

(Continued from page 1)

wanger, Floyd Odlum, Franklin D. Roosevelt, Jr., Maurice Silverstone, Terry Ramsaye, Mr. and Mrs. Edwin L. Weisl, Postmaster General Frank C. Walker, Mr. and Mrs. Colvin Brown, Mayor Fiorello H. LaGuardia, Roy W. Howard, Sam Shain, Will Hays, Col. Julius Ochs Adler, Joseph M. Proskauer, Jack L. Warner, Mr. and Mrs. Dan Arnstein, George Backer, Clifton Fadiman, Fannie Hurst.

Somerset Maugham, Constance Collier, Beth Leary, Nicholas M. Schenck, Barney Balaban, Adolph Zukor, Major Albert Warner, Paul Block, Arthur W. Kelly, John D. Hertz, Jr., Theodore Backer, Bernard Gimbel, Henry R. Luce, James McCosker, John Otterson, Sol Rosenblatt. Senator Robert L. Wagner, David O. Selznick, Walter Wanger, Joan Bennett, Lee Wood, John Hay Whitney, James Warburg.

Joan Crawford, W. G. Van Schmus, Stanton Griffis, David Sarnoff, William S. Paley, Mr. and Mr. and Leo Spitz, J. Cheever Cowdin, Nate Blumberg, Jack Cohn, John Golden, Edward M. Flynn, Max Gordon, Sam Harris, Albert Lasker, Lee Shubert.

Elmer Rice, Douglas Fairbanks, Jr., Harold Guinsberg, Mrs. Joseph P. Kennedy, Sam Lewisohn, George Z. Medalie, William Morris, Louis Nizer, Billy Rose, Bill Robinson, Harry M. Warner, Police Commissioner Lewis J. Valentine, Fire Commissioner John McElligott, Jules Brulatour, Messmore Kendall, Harry L. Gold, Spyros Skouras.

Irving Berlin, Deems Taylor, Arthur Hays Zulzberger, Herbert Bayard Swope, Sir William Wiseman, Major Edward Bowes, Stanley Howe, Harry D. Buckley, Morris L. Ernst, Lester Jacoby, Roy E. Larsen, Conde Nast, Frank Altschul, Howard Cullman, Irving Caesar, Henry Dreyfuss, Mark Eisman, L. J. Schlaifer.

Chaplin on Air Tonight

Charlie Chaplin will speak over the radio for the second time in his career tonight when he will be heard over WHN during the broadcast at 8:15 in connection with the premiere of "The Great Dictator" at the Capitol. Chaplin spoke over the air last in 1928. Others who will speak tonight include Jack Oakie, Joan Crawford, Joan Bennett, Major Bowes and H. G. Wells.

Petrillo Halts Band Pickups from CBS

For the second time since assuming office, James C. Petrillo, president of American Federation of Musicians, yesterday ordered remote band pickups off CBS. Local musician unions are having differences with WADC, Akron, and WGBI, Scranton, and since CBS feeds both stations, Petrillo ordered union members not to play for the network's pickup. Commercial programs are not affected.

FCC Avoids Action In Political Battle

WASHINGTON, Oct. 14.—FCC officials refused today to be drawn into a dispute resulting from the action of WBBM, Chicago, in cutting off the speech of George F. Barrett, Republican candidate for State Attorney General, because of references to Elliott Roosevelt's appointment as Army captain.

On Defense Committee

Thomas Murtha, president of Local 1 of the Stagehands Union here, and David Sarnoff, president of RCA, have been appointed members of the Local Defense Council.



tigress!

Again she is excitingly, magnificently herself . . . a Dietrich sinbound to hold men spellbound...in a story of men maddened to passionate outburst!







UNIVERSAL PRESENTS

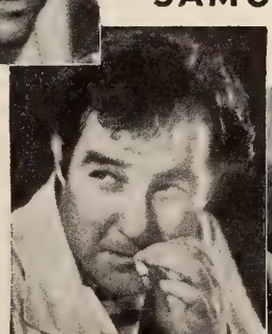
MARLENE DIETRICH

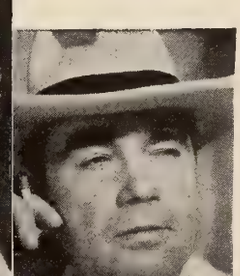
SEVEN SINNERS

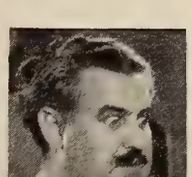
with JOHN WAYNE

ALBERT DEKKER • BRODERICK CRAWFORD
MISCHA AUER • BILLY GILBERT • ANNA LEE
SAMUEL S. HINDS and OSCAR HOMOLKA

another Joe Pasternak Triumph!









Directed by TAY GARNETT

A JOE PASTERNAK PRODUCTION

NATIONAL RELEASE OCT. 25th





TRADE-MARKS ENDURE WHEN THEY STAND FOR QUALITY... SERVICE ...DEPENDABILITY!

That's why the Prize Baby and the theatre advertising products he represents have an ever increasing popularity in this glamorous business ☞ That's why our friends multiply and our products improve ☞ That's why our organization grows and our service expands ☞ That's why we are proud of our product and the industry we serve ☞ That's why we keep quality up and costs down ☞ That's why so many showmen welcome the *Three Best Seat Sellers in the Business*

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 76 NEW YORK, U.S.A., WEDNESDAY, OCTOBER 16, 1940 TEN CENTS

B'way Crowds Hail 'Dictator' At Premiere

Brilliant Dual Opening at Capitol and Astor

By A. L. Finestone and S. A. Kane

Broadway and as large a portion of New York as could crowd itself within the not too limited area from 44th Street to 53rd Street gave Charlie Chaplin's "The Great Dictator" a tumultuous welcome at its dual premieres last night at the Astor and Capitol, such as has been accorded to few films since Broadway moved uptown.

A full hour before the advertised starting time of the picture the thoroughfare had taken on a New Year's Eve appearance and the work of mounted police, patrolmen and plainclothes men in keeping the crowds moving past both theatre entrances had begun in earnest. By 8:30 P.M. the street for blocks in the vicinity of the two houses was almost impassable. At 8:35 when Chaplin and Paulette Goddard made their appearance at the Astor, the crowds broke through police lines and made movement in any direction impossible.

A page of pictures of notables attending the dual premiere of "The Great Dictator" at the Astor and Capitol last night is on Page 7. Excerpts from the reviews by critics of New York's morning newspapers appear on Page 6.

Four mounted policemen drove their horses onto the sidewalk and inched the crowd back in two directions, while a flying wedge of police afoot managed to gain an entrance to the theatre for the couple, pushing pedestrians in off the street ahead of them. Hard-boiled news photographers who took charge of them in the lobby remarked that it was the worst crowd experience they could recall.

At the Capitol the same scene was being enacted. Crowds that overwhelmed the police guards there swept former Governor Alfred E. Smith to his knees, where he remained until rescued by a flying wedge of officers.

Mounted police remained on the sidewalks until 9 P.M., with all pedestrian traffic at a complete halt and vehicular traffic snarled for blocks around. The crowd broke through the

(Continued on page 6)

'Dictator' Advance Sale Up to $45,000

Advance ticket sale for "The Great Dictator" at the Astor jumped from approximately $26,000 yesterday morning to $45,000 by the end of the day. This was the more remarkable, in the opinion of theatre officials, since the spurt occurred prior to any public showing of the picture. The Astor is sold out for about two weeks.

Para. Closes Deal With W. B. Circuit For Philadelphia

A deal by which Paramount's new season product will play the Warner Circuit in Philadelphia and adjacent cities was negotiated here yesterday by officials of the two companies, thus ending serious differences over terms which threatened at one stage of the negotiations to end in Paramount's selling away from Warners in one of the latter's strongest theatre situations.

The deal was closed by Neil F. Agnew, Paramount vice-president and distribution head; J. J. Unger, Paramount Eastern sales manager; Joseph Bernhard, Warner theatre head, and

(Continued on page 4)

SEE DECREE READY BY END OF MONTH

Kelly Heads UA Domestic Distribution

Arthur W. Kelly, vice-president of United Artists in charge of foreign operations, yesterday was named by Maurice Silverstone, chief executive of the company, to head United Artists' domestic distribution.



Arthur W. Kelly

Walter Gould, assistant to Kelly, was named to succeed him as hear of foreign distribution.

No other changes in the company's sales department are contemplated. Harry L. Gold will continue as vice-president in charge

(Continued on page 4)

Hearing Postponed Until Tuesday; Arbitration Talks Continue

The proposed Federal consent decree may be in readiness for presentation to Federal Judge Henry W. Goddard by the end of the month, Government representatives said yesterday following a routine postponement to next Tuesday of the court hearing on the progress of the decree negotiations.

Completed parts of the decree have been submitted to Attorney General Robert H. Jackson and Assistant Attorney General Thurman Arnold, but neither will act on the decree until the entire draft in its final form has been presented to them, it was said.

Preparation of the arbitration rules which supplement the decree was resumed here yesterday and daily sessions will be held the rest of this week in an effort to complete them and to finish the drafting of decree provisions providing for the disposition of other pending Government anti-trust suits and the B. & K. and Fox West Coast decrees insofar as they affect the five consenting companies.

Jacob Schechter, attorney for Allied T. O. of New York, an M.P.T.O.A. affiliate, attended yesterday's hearing before Judge Goddard as an observer. He did not address the court at the hearing at which Judge Goddard granted another week's postponement at the request of J. Stephen Doyle, Assistant Attorney General.

Meanwhile, Ed Kuykendall, M.P.T.O.A. president, replying to a communication addressed to trade papers by Abram Myers, Allied States chairman

(Continued on page 4)

"The Great Dictator"

[Chaplin—United Artists]

Charlot returns to screen in brilliant topical comedy

IN his first production in nearly five years, one for which the motion picture audience has been waiting expectantly during the two years of its development, Charles Chaplin has turned the light of his genius in comedy and satire on the most provocative world situation in modern history.

Chaplin essays the dual role of Hynkel, Dictator of Tomania, and a Jewish barber of the Ghetto, and from these vantage points executes a remarkable satire on dictatorship and its spirit of ambition-impelled cruelty and greed for power. In this picture in many instances Chaplin has carried his amazing gift for the subtly comic approach to the highest point of his long and gem-studded career as the screen's acknowledged master of the pantomimic form of expression.

He has been relentless in pointing up the characteristics of the personalities he has satirized: Hitler, Mussolini, Goering and Goebbels. His own portrait of Hitler is a masterpiece of adroit comic characterization; Jack Oakie as Napaloni, Dictator of Bacteria, is effective; Billy

(Continued on page 6)

W. B. to Distribute Raid Subject Here

London, Oct. 15.—The press today received enthusiastically the Ministry of Information's short subject, "London Can Take It," for which Quentin Reynolds, war correspondent of *Collier's*, provided the narrative.

Warners has acquired the subject for distribution in the United States, Canada and Latin America.

Ask Credit Bank Plan Be Revived

LONDON, Oct. 15.—Indefinite postponement of the plan for a British Films Credit Bank might lead the industry into the same plight in which it found itself at the close of the last war, the second annual report of the Film Council declares.

The report, made public by the Board of Trade, says the council resolved recently to pursue the matter, with the object of devising in advance "in collaboration with the Board of Trade a complete scheme whereby the British industry will become creditworthy," to be launched at the right moment.

The report showed that 17 old British films were refused for registration and five films submitted under the quality clause were denied registration for the distributor quota. Distributor quota defaults for the year ended March, 1939, totaled 12, compared with 10 the previous year. Exhibitor quota defaults were 437 compared to 72.

The report states: "The only favorable war factor is the enhanced value of the film as a medium of information and in the strengthening of public morale."

Morris Rejoins W. B.

Sam E. Morris, formerly in charge of Warners' foreign distribution, is now associated with theatre operation under Joseph Bernhard, general manager of the Warner circuit. Morris has been on leave of absence for several months due to illness.

Personal Mention

WILLIAM A. SCULLY, Universal vice-president and general sales manager, is en route to the Coast for studio conferences.

•

JAMES ROOSEVELT will arrive from the Coast on Friday.

•

HOWARD DIETZ, WILLIAM F. RODGERS, JOHN NOLAN, OSCAR DOOB, HERMAN ROBBINS, WILLIAM ORR, RUSSELL HOLMAN and DAVID WEINSTOCK having lunch yesterday at Nick's Hunting Room in the Astor.

•

HARRY BUCKLEY, CLARENCE EISEMAN, CHARLES STERN and BERT STEARN at Lindy's (51st St.) yesterday for lunch.

•

EDWARD PESKAY, ROBERT WOLFF, EMANUEL SILVERSTONE and ABE MONTAGUE lunching at Lindy's (next to the Rivoli) yesterday.

•

DENNIS A. ROSS, DAN FRANKEL, HERMAN WOBBER, MONROE GREENTHAL, JACK MILLS, MAURICE BERGMAN and MILTON SILVER at the Tavern yesterday for lunch.

•

ADOLPH ZUKOR, BARNEY BALABAN, J. J. MURDOCK, MARCUS HEIMAN, ALEXANDER INCE, JOHN GOLDEN, GEORGE BALLANCHINE, MAX GORDON, LEE SHUBERT, ARTHUR LOEW, SIDNEY PHILLIPS, LEIF ERICKSON, EDDIE DOWLING, ROBERT WEITMAN, ALBERT LASKER, WILLIAM CAREY, SAM SHAIN and CLAYTON BOND having lunch yesterday at Sardi's.

EMANUEL SILVERSTONE will leave today for Cleveland for the trade showing there of "The Thief of Bagdad." Returning, he will visit Buffalo for the same purpose.

•

GODFREY BERGMAN, who has been named manager of the new 1,200-seat house in Willemstad, Curacao, N.W.I., will sail from this country to his new post on Nov. 8.

•

GARSON KANIN, director, will address a New York University class tomorrow evening.

•

MORRIS KINZLER has a birthday today.

•

HARRY GOLDBERG, director of publicity and advertising for Warner Theatres, returns today from Johnstown, Pa.

•

JOSEPH CORCOS, assistant manager of the Caribib Theatre, Kingston, Jamaica, B.W.I., is in New York.

•

JOHN FARMER of the staff of GEORGE SCHAEFER, RKO president, is chairman of the RKO bowling committee. Other members are JAMES CLARK and LOU GAUDREAU.

Reeve Resigns as 20th-Fox Ad Head

Arch Reeve, advertising manager for 20th Century-Fox, resigned yesterday. Although he plans to return to Hollywood where his home and other interests have remained since his transfer East six years ago, he has agreed to stay with the company until work he has in hand is completed.

He formerly was studio publicity manager for Paramount and later for 20th Century-Fox.

No successor has been selected as yet by Charles E. McCarthy, director of advertising and publicity.

Del Goodman Quits Post with 20th-Fox

Del Goodman, Far Eastern manager for 20th Century-Fox for the past 15 years, has resigned this week. He stated he would take a short vacation before announcing a new affiliation with a major company.

For the present, no successor will be named, said Walter J. Hutchinson, foreign chief.

Green Luncheon Today

Hal M. Green of the RKO press book department will be tendered a farewell luncheon today at Maison Louis. He is resigning to enter another business. S. Barret McCormick, director, will head a group from the advertising and publicity department.

Rites for Bradbury

Funeral services will be held at noon today at Walter B. Cooke's Funeral Chapel for James Bradbury, 83, who died Saturday at the Percy Williams Home, East Islip, L. I. After a long career on the legitimate stage, Bradbury entered films in 1926.

Newsreel Parade

THE presidential battle highlights the new issues, while war coverage is limited to the African campaign. Edgar Bergen's Charlie McCarthy provides a dash of comedy as he "joins the army," while the auto show in New York and football games are included. The contents:

MOVIETONE NEWS, No. 11—War in Africa. King Michael of Rumania. Roosevelt in Dayton; Willkie in Boston. Auto show in New York. Rodeo at Madison Square Garden. Football.

NEWS OF THE DAY, No. 209—Evacuation of Somaliland. Roosevelt on tour of defenses. Willkie in New England. King Michael of Rumania. Charlie McCarthy joins army air corps. Football.

PARAMOUNT NEWS, No. 14—Draft in Canada. Auto show opens in New York. Charlie McCarthy joins the army. Roosevelt defense tour. Willkie speaks in Boston. Air battle in Africa. Football.

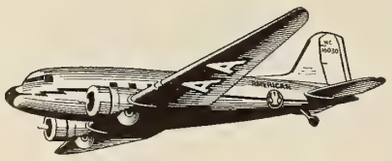
RKO PATHE NEWS, No. 14—Roosevelt inspects defenses. Willkie tours New England. R. A. F. in African raid. Auto show in New York. "They Knew What They Wanted" premiere in California. Football.

UNIVERSAL NEWSREEL, No. 919—Roosevelt inspects defenses. Planes for England made in New York. Willkie in Boston. Charlie McCarthy joins army air corps. New York auto show. Rodeo in New York. Football.

Laughton Guest at Music Hall Party

Charles Laughton, star of "They Knew What They Wanted," was guest of honor yesterday afternoon at a cocktail party in the reception room of the Music Hall, where the film is playing. W. G. Van Schmus, managing director of the theatre, was host.

Among those present were: Gus Eyssell, Ned E. Depinet, William Mallard, A. W. Smith, Jr., Garrett Van Wagner, Harry Michalson, Cresson Smith, Arthur Willi, S. Barret McCormick, John J. O'Connor, W. H. Clark, Fred Lynch, William Merrill, Max Fellerman, Leon Bamberger, Fred Meyers, Malcolm Kingsberg, Phil Reisman, L. P. Yandell, Michael Hoffa, Gen. James G. Harbord, Sam Shain, Garson Kanin, Elsa Lanchester, Julia McCarthy, Wanda Hale, Tom Pryor, Kelcey Allen, Alice Hughes, Leo Mishkin, Terry Ramsaye, Gordon Youngman, Ed Zabel.



CALIFORNIA

American's Southern Sunshine Route

5 FLAGSHIPS DAILY COAST-TO-COAST

★ It's only an overnight skysleeper trip to Los Angeles via American's Famous Sunshine Route! Delicious meals aloft. Stewardess service. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: Rockefeller Center, 18 W. 49th St.; Grand Central, 45 Vanderbilt Ave.

CONVENIENT DEPARTURES

The Sun Country Special 7:05 am
The Plainsman . . . 4:10 pm
The Mercury (Two Sections) 4:45 & 5:10 pm
The Southerner . . . 10:30 pm

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

'Flames' Programs Over 267 Stations

Paramount has purchased 267 stations of CBS and Mutual for programs in connection with "World in Flames," the largest number ever to have been bought by a film company for a single film.

The entire continental CBS network of 116 stations will be used Saturday, Oct. 26 at 7:45 P.M. with Elmer Rice, Maj. Gen. George Fielding Eliot and Ray Bloch's orchestra. On Thursday, Oct. 24, at 10:15 P.M., Raymond Gram Swing, Wythe Williams and the same band will be heard over 151 Mutual stations. Buchanan & Co. was the agency.

Decentralize Fox English Company

LONDON, Oct. 15.—The 20th Century-Fox British organization has been decentralized to minimize the risk of serious interruption from the Nazi blitzkrieg, according to Francis L. Harley, managing director.

Production, publicity and London sales have been retained here under the command of Harley. Sales headquarters in Manchester are under the supervision of Sutton Dawes. A secondary sales office is in Birmingham, and the secretary and administrative records have gone to Pinckney Manor, near Rugby.

Branches are operating as individual businesses, maintaining their own print stocks.

Metro Preview of Short at Air Field

Navy officials, heads of youth organizations and members of the press yesterday were carried in three navy planes from New York Bay to Floyd Bennett Field, Brooklyn, to see an M-G-M documentary two-reel short, "Eyes of the Navy." Si Seadler, M-G-M advertising manager, and Herb Morgan of the short subjects department, handled the program, which included a brief talk by Arthur DeBra of the Hays Office and a buffet luncheon.

The film was made in the interest of recruiting for the Naval Air Force and will be released on Navy Day, Oct. 27 as a special on the company's shorts program.

Airlines to Open

The Airlines News Theatre, new 528-seat newsreel house at 42nd St. and Park Ave., will be opened tomorrow night by Dave Dubin, who also operates the Grand Central Newsreel.

Ban French Pictures

A French film, "Have You Nothing to Declare," distributed in this country by Foreign Films, Inc., has been banned by the New York State censor board. The ban will be appealed.

Balcon on Council

LONDON, Oct. 15.—Michael Balcon has succeeded Capt. Richard Norton on the Cinematograph Films Council.

Hollywood Reviews

"The Hit Parade of 1941"

(Republic)

HOLLYWOOD, Oct. 15

OFFERING a gay and amusing array of evenly gifted specialists in the field of light and tuneful entertainment in a swift and orderly display of their varied talents, Republic's annual musical supplies blithe entertainment against a background story about television and radio.

Paired in the romantic leads are Kenny Baker and Frances Langford, both pleasantly vocal, singly, together and in leading numbers. Featured in the dance department and stopping the show with a solo conga is Ann Miller, who also permits her singing ability or lack of it to be used in the story for laugh purposes. Hugh Herbert gives the picture benefit of one of his best eccentric impersonations, Patsy Kelly, Phil Silvers and Mary Boland also contributing to the comedy content. Franklin Pangborn, Sterling Holloway, Donald McBride and Barnet Parker are the other principals.

Borrah Minevitch and his Harmonica Rascals are twice brought forth in the film to execute the routines which have made their fame. Six Hits and a Miss figure importantly in production numbers, a sequence of which builds up to a finale reviving songs of yesteryear in a manner to satisfy customers of all ages.

John H. Auer directed the film with eye to smoothness, speed and point, gaining a unity seldom achieved in musicals. Music by Jule Styne and lyrics by Walter Bullock are well above par. It is a Sol C. Siegel production from a screenplay by Bradford Ropes, F. Hugh Herbert and Maurice Leo, a timely and highly screenworthy item of merchandise.

Running time, 86 minutes. "G."* ROSCOE WILLIAMS

"Moon Over Burma"

(Paramount)

HOLLYWOOD, Oct. 15.—Placed in the teak lumbering country in Burma, this film replaces Dorothy Lamour's sarong with more conventional attire.

This departure from the normal met with the evident satisfaction of a preview audience which had an earthquake to think about during the last reel, as well.

Co-starring with Miss Lamour are Robert Preston and Preston Foster, as friends and partners in a teak plantation they run for the blind owner protrayed by Albert Basserman. Meeting Miss Lamour in a cafe where she is engaged as singer, Preston brings her back to the plantation, offers to marry her. But meanwhile Foster has fallen in love with her and she with him.

The cast includes Doris Nolan, as the daughter of a banker out to ruin the plantation, the girl being in love with Foster. Her father is portrayed by Frederic Worlock.

Replete with action ranging from a jungle fire to the break-up of a log jam, the picture was produced by A. M. Botsford and directed by Louis King. The screenplay, by Frank Wead, W. P. Lipscomb and Harry Clork, was based on a story by Wilson Collison. Two songs, "Moon Over Burma" by Frederick Hollander and Frank Loesser, and "Mexican Magic," by Harry Revel and Loesser, are sung by Miss Lamour.

Running time, 75 minutes. "G."* W.S.

"A Little Bit of Heaven"

(Universal)

HOLLYWOOD, Oct. 15.—"A Little Bit of Heaven" is a sequel to "The Under-Pup," little Gloria Jean's first film. It is produced with the same human touch and the same lyric qualities for which Joe Pasternak, producer, is now noted. The film is a simple, compelling story of a little girl who upon becoming a well paid radio singer finds that her family has become snobbish.

In the film with her again as her family are Hugh Herbert, C. Aubrey Smith, Nan Grey, Nana Bryant and Frank Jenks. Chief among the support are Robert Stack, Stuart Erwin, Eugene Pallette, Billy Gilbert, and two youngsters listed as "Butch and Buddy," the latter three having appeared with her in the first film.

Daniel Taradash, Gertrude Purcell and Harold Goldman adapted the original story, written by the late Grover Jones, and provided a smoothly flowing vehicle for the girl's acting and singing. She sings five songs. Andrew Marton directed the film in the best Pasternak tradition.

Of added exploitation importance to exhibitors is the fact that some of the "uncles" of the girl are played by Charles Ray, Noah Beery, Sr., Maurice Costello, Monte Blue, Pat O'Malley, Kenneth Harlan, William Desmond and Fred Kelsey.

Running time, 84 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Cooperative Theatre Plan Set by Equity

Cooperative, experimental theatres with the approval of the Dramatists Guild and Actors Equity loomed as a definite possibility yesterday when the Guild notified Equity that it had approved the proposition in principle and had appointed a committee with full power to draw all necessary regulations.

Under the terms of Equity's proposal, a group of actors will be permitted to put on a show without drawing salaries. All production costs will be borne cooperatively and the engagement will be limited to three performances. The cast will have complete rights to sell the show to any private manager and will share in the proceeds. The Guild has agreed to waive its minimum royalties and to permit the author to relinquish his control over the script for six months, after which time it reverts to him.

Both unions will keep a close watch over the actual working of the experiment and intend to guard against the possibility that managers may seek to use the cooperative group for the purpose of obtaining a public tryout of a play at little or no expense, a union spokesman explained.

'Westerner' Takes $12,800, Providence

PROVIDENCE, Oct. 15. — Loew's State's double, "The Westerner" and "Sky Murder," drew $12,800. "Strike Up the Band" and "Dulcy" at the RKO Albee took $5,500 at the Carlton.

Estimated takings for the week ending Oct. 9-10:

"Spring Parade" (Univ.)
"Men Against the Sky" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. 2nd week. Gross: $6,000. (Average, $6,000)
"The Westerner" (U.A.)
"Sky Murder" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $12,800. (Average, $11,000)
"City for Conquest" (W.B.)
"Calling All Husbands" (W.B.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $6,700. (Average, $7,000)
"Private Affairs" (Univ.)
"Ski Patrol" (Univ.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $4,000. (Average, $6,000)
"Strike Up the Band" (M-G-M)
"Dulcy" (M-G-M)
CARLTON—(1,526) (28c-39c-50c) 7 days. 2nd week. Gross: $5,500. (Average, $3,500)
"One Crowded Night" (RKO)
METROPOLITAN—(3,045) (28c-39c-55c-75c) 3 days. Stage show with George Jessel, Rochelle Hudson, Isabel Jewell, Lya Lys, etc. Gross: $4,500. (Average $8,000)
"The Gay Caballero" (20th-Fox)
"I'm Nobody's Sweetheart" (Univ.)
FAY'S—(1,800) (15c-28c-39c) 7 days. Gross: $2,000. (Average, $2,500)
"Money and the Woman" (W.B.) (3 days)
"Comin' Round the Mountain" (Para.) (3 days)
"The Sea Hawk" (W.B.) (4 days)
EMPIRE — (2,200) (20c-28c) 2nd run. Gross: $1,600. (Average, $1,700)

Infringement Suit Starts

Trial of the suit of John Joseph Davila against Warner Bros., NBC, CBS and about 50 music publishers, started yesterday before Federal Judge Samuel Mandelbaum. The plaintiff claims infringement of his song "If I Were a Spider and You Were a Fly" in "The Desert Song." The trial will continue on October 21.

Coast Busy on 34 New Films; Now Editing 71

HOLLYWOOD, Oct. 15.—Thirty-four pictures were before the cameras this week as 11 were finished and six started. Fourteen are being prepared and 71 are being edited.

The tally by studio:

Columbia

In Work: "This Thing Called Love," "Legacy."
Started: "Across the Sierras," "Ocean Gold."

Korda

In Work: "Lady Hamilton."

Loew-Lewin

In Work: "Flotsam."

M-G-M

Finished: "Go West," "Gallant Sons."
In Work: "Flight Command," "Comrade X."
Started: "Come Live With Me."

Monogram

Finished: "Phantom of Chinatown," "Oklahoma Bound."

Producers Releasing

Finished: "Riders of Black Mountain."

Paramount

In Work: "I Wanted Wings," "Shepherd of the Hills," "Reaching for the Sun," "You're the One," "Doomed Caravan."

RKO

In Work: "Citizen Kane," "You'll Find Out," "Kitty Foyle," "Mr. and Mrs. Smith," "Let's Make Music," "Playgirl," "Three Girls and a Gob."

Republic

Finished: "Texas Terror."
In Work: "The Mysterious Dr. Satan," "Barnyard Follies."
Started: "Border Legion."

20th Century-Fox

Finished: "Chad Hanna," "Ride, Kelly, Ride," "The Private Practice of Michael Shayne."
In Work: "Tin Pan Alley," "Western Union."

Universal

Finished: "San Francisco Docks."
In Work: "The Bank Dick," "Trail of the Vigilantes."
Started: "The Invisible Woman."

Warners

Finished: "The Lady with Red Hair."
In Work: "South of Suez," "Carnival," "Trial and Error."
Started: "She Couldn't Say No."

Providence Raises "North West" Scale

PROVIDENCE, Oct. 15.—The Strand will play "North West Mounted Police" at advanced prices, beginning Oct. 25. Manager Edward L. Reed has scaled his house to coincide with prices Loew's State got for "Boom Town" earlier in the season, with 65 cents top at night.

In New Haven RKO Post

NEW HAVEN, Oct. 15.—Francis Joyce, former assistant shipper at the RKO office here, has been promoted to assistant booker, following the resignation of Stanley Levin.

Metro Creates Fifth Film Series with John Shelton

HOLLYWOOD, Oct. 15

M-G-M has announced the creation of a new series of pictures, to feature JOHN SHELTON and ANN RUTHERFORD, depicting the trials and tribulations of a young married couple. VIRGINIA WEIDLER will appear in the group as MISS RUTHERFORD'S sister. First will be "Keeping Company" and S. SYLVAN SIMON will direct. SAMUEL MARX will produce, from an original story by HERMAN MANKIEWICZ.

This will make the fifth series at M-G-M, the others being the Judge Hardy Family, Dr. Kildare, the "Maisie," and the "Nick Carter" groups.

• •

One of the most unusual contracts in Hollywood was signed over the weekend by Harry Sherman, producer, and Bill Boyd, star. The tenure of the contract calling for Boyd's services will be determined by the box-office popularity of "Hopalong Cassidy," the character he portrays in Sherman's western series.

• •

Warners has purchased IRWIN SHAW'S play, "The Gentle People," as a vehicle for ANN SHERIDAN, JOHN GARFIELD, THOMAS MITCHELL and ALBERT BASSERMAN. JERRY WALD and RICHARD MACAULAY will write the script . . . JAN STRUTHER'S book, "Mrs. Miniver," has been bought by M-G-M for GREER GARSON. JAMES HILTON and R. C. SHERIFF will do the screenplay, and SIDNEY FRANKLIN will produce. . . . SIGMUND NEUFELD draws the production assignment of Producers Releasing Corp. "Lone Rider" western series to star GEORGE HOUSTON.

• •

WILLIAM C. RITER, formerly with Columbia, has been appointed sales manager for the Los Angeles exchange of the company by SAM NATHANSON, western franchise holder . . . WILLIAM CHRISTY has been made assistant general sales manager for Forum Films, Inc., by JAMES S. BURKETT, president . . . M-G-M has extended HEDY LAMARR'S contract . . . ERNST LUBITSCH has set "That Uncertain Feeling" as the title for his film to star MERLE OBERON and MELVYN DOUGLAS . . . WALTER WANGER has been named to represent the motion picture industry on the committee supervising National Art Week, Nov. 25 to Dec. 2 . . . Twentieth Century-Fox has given term contracts to actors CHARLES LANG and ROY HARRIS . . . GRANT RICHARDS will play the masculine lead in "40,000 Smiths," play written and produced by DESIDER PEK at the Ben Bard Playhouse, starting Oct. 22 . . . EDMUND GOULDING will direct "Mr. Skeffington," IRENE DUNNE vehicle at Warners.

• •

"One Hour of Glory," original story by Mary Roberts Rinehart, has been set by Warners for Thomas Mitchell . . . "Play Girl" is the new title for RKO's "Debutantes, Inc." . . . Marjorie Main gets a term contract from M-G-M and will appear in "Wild Man of Borneo," in which Frank Morgan has the top role . . . Wolfgang Reinhardt, Warner producer, has been given a contract extension . . . Wesley Ruggles is considering "I Tasted Death," aviation story by Lieut. Bentley Travis, as his next Columbia production . . . Ruth Hussey will play opposite Spencer Tracy in M-G-M's story based on the life of Dr. Ephraim McDowell, which Mervyn LeRoy will direct.

• •

JESSE L. LASKY is producing in collaboration with HENRY DUFFY "Quiet, Please," play about Hollywood, at the Biltmore Theatre for three weeks . . . A son was born last week to MRS. JOSEPH MANKIEWICZ . . . Columbia has purchased "A Cool Million," play of New York, for a SAM BISCHOFF production. The screen treatment was written by BORIS INGSTER and NATHANIEL WEST . . . ROBERT SHERWOOD, young radio writer-director-producer, has started his first film "Legacy," with WARNER BAXTER, INGRID BERGMAN, SUSAN HAYWARD, FAY WRAY and JOHNNY DOWNS in the top roles. Columbia will release . . . NANCY KELLY goes into a top role of 20th Century-Fox' "Breach of Discipline" . . . CAROL HUGHES is appearing opposite ROY ROGERS in Republic's "Border Legion."

• •

OSCAR LEVANT joins the cast of Paramount's "Kiss the Boys Goodbye" . . . FRANK MORGAN and FAY HOLDEN are set for "Ziegfeld Girl" at M-G-M . . . The feminine lead of Sherman-Paramount's "In Old Colorado" goes to DANA DALE . . . MAUREEN O'SULLIVAN will have the second feminine lead in M-G-M's "Maisie Was a Lady" . . . IRVING CUMMINGS will direct 20th Century-Fox's "Rings on Her Fingers."

Office Employes to Start Vote Oct. 22

HOLLYWOOD, Oct. 15.—Elections to determine whether office workers at various studios want the Screen Office Employes Guild to act as collective bargaining agency will start Oct. 22, Walter Spreckels, National Labor Relations Board regional director, announced today.

Each lot will vote separately, with Columbia and RKO employes voting on Oct. 22 and Hal Roach employes on Nov. 4. Dates for other studios will be set this week.

Decree Seen Ready By End of Month

(*Continued from page* 1)

and general counsel, in which Myers inquired where Kuykendall stood on provisions of the decree other than the block-of-five sales proposal, pointed out that his views had been set forth in considerable detail on the entire decree in an M.P.T.O.A. bulletin sent to members of the organization and the trade press last week.

Kuykendall commented that by contrast he had not yet seen Myers' stand on the decree set forth in writing in anywhere near as complete detail.

Kelly Heads UA Domestic Distribution

(*Continued from page* 1)

of Eastern and Canadian sales, and L. J. Schlaifer as vice-president in charge of Western sales.

The appointment of a single sales chief has been uppermost in Silverstone's mind for some time, as has been generally known in the trade. For that reason, Kelly's appointment is not surprising and is in line with Silverstone's established policy of choosing his appointees from the company's own ranks.

The new United Artists distribution chief has been associated with the company for more than 20 years and has headed its foreign distribution for the past 14 years, during which time the company's foreign operations have been consistently successful. At two intervals in the past he has served as head of United Artists world-wide distribution, both domestic and foreign. The first occasion was immediately following the resignation of Al Lichtman and the second preceded the appointment of George J. Schaefer as United Artists distribution head about three years ago.

Paramount-Warner Deal in Phila. Set

(*Continued from page* 1)

Clayton Bond, film buyer for the circuit. It is a one-year deal.

The negotiations apparently collapsed in Philadelphia last week and the Paramount branch there began lining up key neighborhood houses among independent operators in Philadelphia, Camden, Wilmington and elsewhere. However, the deal reportedly was then referred to Barney Balaban, Paramount president, and Harry M. Warner, which resulted in a resumption of the negotiations here with the successful consummation of yesterday.

Drama Guild Pact Compromise Is Set

A compromise formula was agreed upon yesterday by representatives of film companies and Broadway managers to eliminate the last remaining differences in amendments to the Dramatists Guild minimum basic agreement. The contract will be drafted by Sidney R. Fleisher, Guild film negotiator, and will be considered by a Guild committee some time next week.

The compromise involved the demand by Broadway managers that employes of film companies be banned from producing plays where the company backed the play and purchased film rights in advance. The agreement reached provides that the companies shall make all reasonable efforts to obtain a first rate Broadway manager but if none is available the company may use an employe. Full details were not disclosed.

Feature Reviews

"Trailing Double Trouble"

(Monogram)

HOLLYWOOD, Oct. 15.—Preserving the standard set in his first production for Monogram, George W. Weeks here again presents Crash Corrigan, Duty King and Alibi Terhune as three hearties of the old west out to rectify such condiitons of lawlessness as they may come across, which are plenty. In this number, second of the series, the cowboys again bring a band of criminals to justice, first thrashing them soundly not once but on as many occasions as seem required.

Lita Conway is the girl in the case this time, loved by two of the cowboys, but left by all when they ride away to new adventures. Roy Barcroft leads the ranks of villainy. Tom London, Jack Rutherford, William Kellogg, Earl Matthews, Forrest Taylor and Ken Duncan are others in the cast.

The story, about a murder committed by way of pilfering the ranch of gravel sought by a construction company, is by George Plympton, screenplay by Oliver Drake. Direction is by S. Roy Luby, Anna Bell Ward acting as associate producer.

Running time, 58 minutes. "G."* ROSCOE WILLIAMS

"Torso Murder Mystery"

(Arthur Ziehm, Inc.)

"Torso Murder Mystery" is an adaptation of the novel, "Traitor Spy," produced in England by John Argyle and directed by Walter Summers. It is interesting melodrama concerning espionage and murder.

Bruce Cabot, starred, is the only member of the cast of marquee value here. He is seen as British traitor in possession of important military plans coveted by Nazi agents. Two murders are committed early in the film. The story then develops with the police seeking to identify one of the victims. With the aid of a newspaper reporter the problems are solved and the agents captured. The story ends with Cabot meeting death in a burning building. Tense situations are well developed.

Running time, 70 minutes. "G."*

**"G" denotes general classification.*

'Partners', Nelson $20,000 in Detroit

DETROIT, Oct. 15. — "Lucky Partners," in conjunction with the stage appearance of Ozzie Nelson, his band and Harriet Hilliard, grossed $20,000 at the Michigan. "Strike Up the Band" in its second week at the United Artists, and "Cross Country Romance," grossed $10,000.

Estimated takings for the week ending Oct. 10:

"Hired Wife" (Univ.)
"Girl From Avenue A" (20th-Fox)
ADAMS—(1,600) (15c-50c) 7 days. Gross: $5,000. (Average, $5,000)
"Rhythm on the River" (Para.)
"The Great McGinty" (Para.)
FISHER—(2,700) (15c-50c) 7 days. Gross: $6,000. (Average, $7,000)
"Argentine Nights" (Univ.)
"The Mummy's Hand" (Univ.)
FOX—(5,000) (15c-55c-65c) 7 days. Gross: $15,000. (Average, $15,000)
"Lucky Partners" (RKO)
MICHIGAN—(4,000) (15c-55c-65) 7 days. Ozzie Nelson, and band with Harriet Hilliard on stage. Gross: $20,000. (Average, $12,000)
"Wyoming" (M-G-M)
"Dance Girl Dance" (RKO)
PALMS—(2,000) (15c-39c-55c) 7 days. Gross: $7,000. (Average, $7,000)
"Strike Up the Band" (M-G-M)
"Cross Country Romance" (RKO)
UNITED ARTISTS—(2,000) (20c-55c) 7 days. 2nd week. Gross: $10,000. (Average, $10,000)

Sues on House Permit

PINESVILLE, Ky., Oct. 15.—Suit has been filed to compel the City Council to act immediately on Mose Reda's proposal to construct a new theatre here. One protest asked that the permit be denied as a protection to local industry.

'Divorce,' Bowes $15,500, Buffalo

BUFFALO, Oct. 15.—A good week here found "I Want a Divorce" and Major Bowes' Talent Parade on the stage leading at the Buffalo with $15,500. "The Westerner," double-billed at the Great Lakes, was good for $10,900.

Estimated takings for the week ending Oct. 12:

"I Want a Divorce" (Para.)
BUFFALO—(3,489) (35c-40c-60c) 7 days. Major Bowes' Talent Parade on stage, with Cyril Smith, Steven Phillips, Robert Mellin, the Harmonica Esquires, the Rigoletto Trio, Harry Robinson, the Bertay Sisters, Dicky Ludwig and "Oscar," Sonia & Alex, Ginny Wayne stage band and others. Gross $15,500. (Average, $12,000)
"The Westerner" (U. A.)
"Calling All Husbands" (W. B.)
GREAT LAKES—(3,000) (35c-55c) 7 days. Gross: $10,900. (Average, $7,500)
"Strike Up the Band" (M-G-M)
HIPPODROME—(2,100) (35c-50c) 7 days, 2nd run. Gross: $7,300. (Average, $6,800)
"Three Faces West" (Rep.)
TWENTIETH CENTURY—(3,000) (30c-35c-44c) 7 days. Funzafire on stage with Benny Meroff & band, Ken & Roy Paige, the Wynn Twins, the Five Sailorettes, Daughters of Satan, Louise Shannon, Billy Morosco, Al Spiro, Joe Bennell, Al Divito and Terry Howard, with Jack Tally. Gross: $14,500. (Average at 30c-40c, $7,500).
"The Mummy's Hand" (Univ.)
"South To Karanga" (Univ.)
LAFAYETTE—(3,000) (30c-40c) 7 days. Gross: $6,400. (Average, $6,300)

Heads Kansas City Club

KANSAS CITY, Oct. 15.—Cinema Club, junior Variety organization here, has elected Joe Lysowski president; Frank Morris, first vice-president; Harry Biederman, second vice-president; Ed Hartman, treasurer, and M. S. Anderson, secretary. The group will hold its inaugural dinner Oct. 18.



"Preston Sturges exercises here with different material the talents accountable for the remarkable success of 'The Great McGinty' and obtains an equivalently effective entertaining result!" —*M. P. Daily*

B'way Crowds Hail 'Dictator' At Premiere

(Continued from page 1)

restraining lines again when Jack Oakie arrived at the Astor at 9:05. Inside the doors, with tie asked and collar rumpled, Oakie whistled.

"Good old show business!" he boomed.

Both theatres were filled to capacity, mostly with a white-tie, mink and ermine audience. The Astor, where the picture will play two-a-day with all seats reserved, is scaled at $2.20 top. The Capitol, on a continuous, unreserved policy, is at $1.65 top.

The premiere at the Capitol was broadcast over WHN from 8:15 to 9:00, with Chaplin on the air for only the second time in his entire professional career. Fred Raphael of WHN directed the broadcast with Ed Sullivan and Jack Oakie acting as masters of ceremonies.

Celebrities Broadcast

Numerous celebrities spoke briefly on the broadcast, among them Miss Goddard, Joan Crawford, Al Smith, Jack Haley, Mitzi Green, Gail Patrick, Charlotte Greenwood, Joe Penner, Walter Wanger, Joan Bennett, Douglas Fairbanks, Jr., Marian Marsh.

Among those at the two-theatre premiere were:

Mr. and Mrs. Nicholas M. Schenck, Mr. and Mrs. Harry Warner, Mr. and Mrs. Albert Warner, Mr. and Mrs. Percy Elkeles, Mrs. Sime Silverman, Mrs. Vera Blumberg, Mrs. Milton Schwartzwald, Herman Wobber, Mr. and Mrs. Ned Depinet, Mr. and Mrs. N. Peter Rathvon, Mr. and Mrs. Barney Balaban, Mr. and Mrs. Leonard Goldenson, Sam Dembow, Mr. and Mrs. Sam Rinzler, Mr. and Mrs. Louis Frisch, Mr. and Mrs. W. G. Van Schmus.

Also: Mr. and Mrs. Ted O'Shea, Mr. and Mrs. T. J. Connors, Mr. and Mrs. Adolph Zukor, Mr. and Mrs. J. J. O'Connor, Fred Meyers, Max Fellerman, Max Cohen, William Brandt, Cole Porter, Herbert Bayard Swope, Lou Little, John Golden, Harry Goetz, Liam O'Flaherty, Mr. and Mrs. William F. Rodgers, Mr. and Mrs. Richard C. Patterson, Mr. and Mrs. Walter Vincent, Judge John F. O'Brien, Bugs Baer, Harry Hershfield, William Kupper, Charles Stern, William Sussman, Gail Patrick, Mr. and Mrs. Si Seadler, Emanuel Silverstone, Clifton Fadiman, Constance Collier, William Paley, Albert Johnson, Lucrezia Bori, Ed Raftery, Mr. and Mrs. Julius Stein, M. B. Shanberg, Eugene Picker, S. Barret McCormick, Robert Gillham, Nate Spingold.

Others Who Were Present

Also: Francis Lederer, Isa Miranda, John E. Otterson, Louis D. Frohlich, Charles Schwartz, Captain Dennis O'Brien, Jules Levey, C. C. Moskowitz, Tim Durant, Mr. and Mrs. Malcolm Kingsberg, Mr. and Mrs. Edward Schnitzer, Mr. and Mrs. Robert Weitman, H. J. Yates, Harry Brandt, Mr. and Mrs. Lester Cowan, Charles Laughton and Elsa Lanchester, Dorothy Thompson, Vincent Sheean, Thomas W. Lamont, Richard Barthelmess, Winthrop Rockefeller and Gene Buck.

Also: H. G. Wells, Mr. and Mrs. J. D. Hertz, Lion Feuchtwanger, Floyd Odlum, Franklin D. Roosevelt, Jr., Maurice Silverstone, Terry Ramsaye, Mr. and Mrs. Edwin L. Weisl, Postmaster General Frank C. Walker, Mr. and Mrs. Colvin Brown, Mayor Fiorello H. LaGuardia, Roy W. Howard, Sam Shain, Will Hays, Col. Julius Ochs Adler, Joseph M. Proskauer, Jack L. Warner, Mr. and Mrs. Dan Arnstein, George Backer, Clifton Fadiman, Fannie Hurst.

Also: Somerset Maugham, Constance Collier, Beth Leary, David O. Selznick, Barney Balaban, Adolph Zukor, Major Albert Warner, Paul Block, Arthur W. Kelly, John D. Hertz, Jr., Theodore Backer, Bernard Gimbel, Henry R. Luce, James McCosker, Sol Rosenblatt, Senator Robert L. Wagner, Walter Wanger, Joan Bennett, Lee Wood, John Hay Whitney, James Warburg.

"The Great Dictator"

[Chaplin—United Artists]

(Continued from page 1)

Gilbert's delineation of the fat and medal-laden Herring is no less effective, and equally good are Henry Daniell as Garbitsch (Goebbels), and Reginald Gardiner as Schultz, the Storm Troop leader out of step with the procession, whose humanitarian instincts serve as a motivating force in the plot structure.

In the Ghetto, supporting Chaplin in his portrayal of the Ghetto barber with splendid performances, are Paulette Goddard, poor house-worker with whom Chaplin falls in love; Maurice Moscovich and Emma Dunn, the epitome of the oppressed family victims of Hitler's pogroms, and Bernard Gorcey and Paul Weigel.

Chaplin prepared the screenplay and acted as his own producer and director, while Karl Struss and Rollie Totheroh contributed a splendid photographic job. Meredith Willson prepared a musical score which in itself contributed greatly to the finished film.

• •

CONTROVERSY may be stirred by the concluding sequence. Chaplin, in the physical character of the barber, but dressed in a party uniform in which he escapes from a concentration camp, crosses the border of neighboring Austerlich, at the precise moment that Hynkel is scheduled to arrive to complete the invasion of that defenseless nation. He is mistaken for Hynkel. With elaborate ceremony, before a vast throng, he stands before a battery of microphones.

In that moment, he steps out of character. He is not the barber, not Hynkel but Charlie Chaplin, and delivers an impassioned plea to all people, to all soldiers to fight against the enslavement imposed by cruel and power-ridden dictators, to fight to the last for the liberties they have lost, and to face the future with the hope of a new dawn of peace and freedom.

So completely at odds is his unexpected address with the brilliant comedy treatment that has gone before that the audience is caught entirely by surprise, and with what effect on the sum of the whole production only public response itself will determine.

In that sequence Chaplin plunges headlong into outright propaganda, deserting his medium of satirical expression. However meritorious may be the sentiment he thus expresses, and however much audiences may find him echoing their own belief, there is evidence that the sequence brings a letdown to the production.

• •

THE examples of superlative comedy, which in themselves are of the highest order of satire, are many. Highlight perhaps is that in which Hynkel, in his sumptuous office, dances with an air-inflated geographical globe, tossing is again and again to the ceiling, as he fondles it. Again, there is the delightfully comic scene when Napaloni arrives for a state visit, is met at the station by Hynkel and his entourage and refuses to alight without the red carpet. As the train is jerked forward and back, the carpet holders rush back and forth in a frantic effort to place the carpet in the proper position.

There are the scene in which Hynkel and Napaloni "discuss" the signing of a treaty dependent upon the withdrawal of Napaloni's troops from Austerlich; that in the barber shop as the barber shaves a customer rhythmically to the strains of a subtly-contrived Wagnerian arrangement; the hilarious episode in which Schultz persuades the Jewish group to eat puddings, in which are inserted coins, to determine who shall blow up Hynkel's palace, and Chaplin's frenzied efforts which result in his swallowing all the coins. All these are in the Chaplin tradition, and done with consummate skill.

Wholly new for Chaplin is his use, as Hynkel, of a form of speech which bears a close resemblance to German, and which is mouthed ferociously as he addresses his nation over batteries of microphones. Here Chaplin's amazing artistry is once again evident, in a triumph of comic satire.

Here is a motion picture long awaited, and although the concluding sequence may carry an adverse weight, it is a picture which without question will attract a tremendous audience, attain a place as one of the great films.

Running time, 126 minutes. "G."* CHARLES S. AARONSON

*"G" denotes general classification.

Critics Appraise 'Great Dictator'

Herald Tribune: "The Great Dictator" . . . is a savage comic commentary on a world gone mad. It has a solid fabric of irresistible humor. . . . It is an extraordinary film. In turning to outright propaganda, though, I believe it sacrifices a large measure of the artistry which has distinguished Chaplin offerings as the greatest comedies the screen has produced. . . . So long as Chaplin is on the screen it is a triumphant motion picture, but taken as a whole it has collided with the swift progression of contemporary history.—*Howard Barnes.*

N. Y. Times: No event in the history of the screen has ever been anticipated with more hopeful excitement than the premiere of this film; no picture ever made has promised more momentous consequences. And the happy report is that it comes off magnificently. "The Great Dictator" may not be the finest picture ever made—in fact, it possesses several disappointing shortcomings. But, despite them, it turns out to be a truly superb accomplishment by a truly great artist—and from one point of view, perhaps the most significant film ever produced.—*Bosley Crowther.*

News: "The Great Dictator" . . . is an uneven comedy in which the basic material is so fraught with tragedy that it seemed to be no laughing matter to the majority of the audience. . . . Chaplin has made the mistake of straying too far from his original technique of presenting the sad little tramp of cinema fame in a series of strange, wonderful and completely funny adventures. . . . It is by no means the great satire that we were led to expect from the little master's studios.—*Kate Cameron.*

Mirror: Charles Chaplin smashed at dictators and war last night and did it as effectively and as beautifully as anyone hereabouts could have hoped for. . . . "The Great Dictator" is, of course, unlike anything you have ever seen . . . deft, sure Chaplinesque comedy of the sort always associated with the actor's magic name alternated with satire so biting that one cannot help but feel that if this picture had been produced and generally distributed two or three years ago, both Hitler and Mussolini would have been laughed off their throne before they had an opportunity to plunge the world into war and darkness. . . . Chaplin's own defense of democracy at the end of the picture is thrilling and soul-stirring.—*Lee Mortimer.*

Dissolve 3 Companies

ALBANY, Oct. 15.—Papers of dissolution for three motion picture concerns have been filed here. They are General Amusement Corp., Riverdale Amusements, Inc., and U-P Corp.

Roving Camera at "Dictator" Premiere



Jack Oakie strikes a pose a la Napaloni.



Spyros Skouras, head of National Theatres, with Mrs. Skouras, left, and their daughter, Daphne.



Chaplin escorted into the Capitol, with bodyguard.



Dave Snaper, New Jersey exhibitor, with daughter.



Harry Brandt, head of the Brandt circuit, and Mrs. Brandt.



Louis Frisch and Sam Rinzler, circuit partners.



Adolph Zukor, Paramount board chairman, and Mrs. Zukor.



William F. Rodgers, M-G-M general sales manager, and John J. O'Connor, RKO theatres head.



Robert Weitman, managing director of the Paramount Theatre, with Mrs. Weitman.



Fred Schwartz and Sam Goodman, executives of the Century Circuit, New York.



Harry M. Warner, president of Warner Bros., who is in New York on a visit.

FCC Vacancy To Be Filled In November

WASHINGTON, Oct. 15.—President Roosevelt disclosed today that he would not send until after Nov. 18 a new nomination to the Senate to replace that of Thad H. Brown, who withdrew his name yesterday as nominee for reappointment to the FCC. President Roosevelt pointed out that the Senate is meeting only twice a week until the middle of November and that it would be futile to make any nominations before then.

Brown's withdrawal as a candidate was seen today as easing the tension caused by the one-man campaign against the FCC by Sen. Charles W. Tobey.

Specifically, Brown's action is seen as effectively forestalling any action on Sen. Tobey's resolution for a general investigation of radio by this session of Congress.

Brown was appointed general counsel to the old Federal Radio Commission in 1929 and became a member of the FCC in 1932. He was renominated for another term by President Roosevelt on June 5 but the Senate Interstate Commerce Commission held up confirmation of the appointment. Included in the inquiry into Brown's fitness were questions concerning the monopoly report, the RCA consent decree of 1932 and the CBS-Paramount deal.

Kansas Paralysis Still Hurts Grosses

KANSAS CITY, Oct. 15.—The infantile paralysis situation in Kansas has improved, but is still hurting grosses in many spots, according to exhibitors. Even in localities where the ban on children attending theatres has been lifted exhibitors report that the box-office hasn't fully recovered.

Frost has stopped the spread of the disease in the northern half of the state, but where frost hasn't occurred, many localities are still getting new cases. While Kansas ordinarily has a flurry due to the disease each year in late Summer, the situation this year has been the worst, and has been a major box-office deterrent. In Missouri little effect has been felt from the few cases reported.

Heiman Reelected By Theatre League

Marcus Heiman has been reelected president of the League of New York Theatres, and Lee Shubert and Brock Pemberton were reelected vice-presidents. Gilbert Miller was named treasurer and Herman Shumlin, secretary. Members of the board of governors elected were Sam H. Harris, Martin Beck, Harry G. Sommers, Lester Meyer, Max Gordon, Vinton Freedley, Lawrence Langner, Rowland Stebbins and Dwight Deere Wiman.

Corfield Forms Company

LONDON, Oct. 15.—John Corfield has resigned as managing director of British National to form John Corfield Productions, Ltd., for distribution of Anglo-American product.

Off the Antenna

MUTUAL will use a new method in broadcasting election returns this year. Instead of announcing returns in the form of the number of votes from a number of election districts, the announcer will give the percentages and ratios in terms of states. For example, he will say, "At 7 P. M. with two per cent of the votes in New York State tabulated, John Doe leads Richard Roe by 100,000 votes or a ratio of two to one." United Press news will be used and supplemented by Associated Press dispatches from WGN, Chicago. Remington Rand has purchased 10 five-minute announcements over WOR. Dave Driscoll, special features head, and Alvin Josephy, his assistant, worked out the new plan.

• • •

Program News: *United Air Lines will sponsor a new show over* 10 *Mutual stations beginning next Wednesday. It will be heard Mondays, Wednesdays and Thursdays at* 8:30 *P. M. and will mark the return of Boake Carter to the air after an absence of two years. . . . Everett H. Travis, of William Esty & Co., lays claim to the biggest station hookup for a drug account for Feen-A-Mint which is using* 115 *Mutual stations.*

• • •

The new contracts between the networks and AFRA concerning both commercial and sustaining shows will not be released from the escrow agreement until tomorrow morning because the AFRA Los Angeles local must still approve the contract tonight. The agreement extends until Nov. 1, 1943 the existing commercial contract with provision for renewed negotiations if living costs go up.

The sustaining show agreement represents a compromise, with shorter hours and a raise of about 10 per cent in salaries. Staff announcers in New York and Chicago received raises in certain instances and the situation dealing with Chicago local commercial shows was clarified.

• • •

Purely Personal: *Alton Kastner, NBC feature writer in the press department, will join another NBC employe, Addison Amor, a page, on the latter's WCNW record show today at 2 P. M. Kastner will be guest on the show each Wednesday and will answer questions on the inside of radio. . . . Dr. James R. Angell, NBC educational counselor, will address the "Conference on Applied Radio" at Iowa City, Ia., tomorrow and will take part in the dedication ceremonies of WSUI, operated by Iowa State University, Friday. . . . M. F. Allison, formerly KMBC, Kansas City, sales promotion head, has joined WLW, Cincinnati, in a similar capacity. . . . Frankie Masters has started a new type of show at the Hotel Taft called "Sing a Song With Masters" with patrons doing a vocal bit with the orchestra.*

Foods Trade Total on CBS Is Up 53.3%

Expenditures by the food industry on CBS totaled 53.3 per cent more during the first nine months of this year than in the corresponding period last year, a survey revealed yesterday. The total for the first nine months, $9,608,256, is only $80,000 short of the full 1939 total.

Campbell Soup and General Foods, the two leading food purchasers of time on CBS, are expected to spend more than $4,000,000 each for 1940 as compared with $5,442,250 spent by both combined in 1939.

At the end of September, there were 21 food sponsors presenting 36 programs as compared with 18 using 30 shows at the end of September, 1939.

RCA Executives to Coast SMPE Meeting

RCA executives have left for Hollywood to attend the Society of Motion Picture Engineers Fall convention opening next Monday. Included are Eugene W. Ritter, vice-president in charge of manufacturing and production engineering; Ralph W. Austrian, assistant vice-president of RCA Photophone; Dr. V. K. Zworykin, head of Electronic Research Laboratories; Dr. E. W. Kellogg, sound engineering specialist, and Julius Haber, publicity director.

Legion Approves 7 Of Eight New Films

The National Legion of Decency for the current week has approved seven of eight new pictures reviewed and classified, two for general patronage and five for adults. One was condemned. Following are the new pictures and their classification.

Class A-1, Unobjectionable for General Patronage—"Pony Post," "Thief of Bagdad." Class A-2, Unobjectionable for Adults—"Down Argentine Way," "The Living Corpse," "Meet the Wildcat," "Night Train," "North West Mounted Police." Class C, Condemned, "Whirlpool" (French).

Seventh New Haven House Raises Price

NEW HAVEN, Oct. 15.—Following action of six neighborhood houses in raising prices from 23 cents top plus tax, to 27 cents plus tax, the Loew-Poli-Bijou, downtown subsequent and first run, has also raised its daily admissions to the 30-cent total. However, Sunday admissions of 30 cents plus tax at the Bijou remain the same for the present. The Pequot, another neighborhood house, with the former Bijou scale of admissions, is considering a similar move.

AGVA Assigns Miller

PHILADELPHIA, Oct. 15.—Jack Miller has been sent here by the national board of American Guild of Variety Artists to assist Lee Travers, who succeeded Tom Kelly as local executive secretary of the union, in rehabilitating the body after the recent internal disorders.

A ★ M ★ P ★ A

presents a triple star program at its regular luncheon meeting. Come one, come all!

THURSDAY, OCTOBER 17
HOTEL EDISON

★ HARRY BRANDT — Speaker Of The Day
President, Independent Theatre Owners Association

★ JOE E. BROWN — "Elmer The Great"
He'll tell who won the "world's serious"

★ GARSON KANIN — Hit Maker
Explaining how They Knew What They Wanted

We Start Serving at 12:45 Sharp—Please Be Prompt
Members $1.00 - Guests $1.25
Including Gratuities

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 77 NEW YORK, THURSDAY, OCTOBER 17, 1940 TEN CENTS

Three Major Theatres in London Close

CEA Headquarters Also Forced to Shut

LONDON, Oct. 16.—London's most important and centrally located motion picture theatres, the Odeon, Leicester Square and Empire, in the West End, have been closed because of the almost incessant bombing raids by Nazi planes.

Likewise forced to close after the repeated attacks was the headquarters of the London and Home Counties Branch of the Cinematograph Exhibitors Association.

Only the Warner and Ritz of London's large film theatres are currently functioning in the central part of London.

However, despite Nazi bombings, air raid alarms and the general emergency situation throughout the country, provincial theatres are reported doing splendid business.

Following the visit of a deputation of representative theatre owners to the Ministry of Home Security, regulations will be issued next week abolishing the theatre curfew except in defense areas.

Toronto Red Cross Contribution $21,000

TORONTO, Oct. 16.—The Toronto film business contributed more than $21,000 in cash to the campaign of the Ontario Red Cross, according to Col. John A. Cooper, president.

The amount was almost double last year's total from local companies. N. L. Nathanson, president of Famous Players Canadian Corp., made the top personal donation, $7,500, apart from that of the circuit. Eight American and Canadian companies already have contributed $500 each.

Taylor Saves Files Of C.E.A. in London

London, Oct. 16.—Arthur Taylor, secretary of the London and Home Counties Branch of the Cinematograph Exhibitors Association, did heroic work in rescuing the files of the organization, when the C.E.A. branch headquarters here were bombed. Not one record was lost. The C.E.A. organization is still functioning in Wardour St.

FCC Sets New Rule For International Broadcast Outlets

WASHINGTON, Oct. 16.—The Federal Communications Commission today adopted new rules for international broadcasting stations, requiring them to make and keep on file for two years verbatim mechanical records of all programs.

Adopted with a view to checking on broadcasts in foreign languages, the regulations provide that in the case of broadcasts in any language other than English the station must be prepared, on request, to furnish the record and the script of the program, together with a complete translation in English.

The new policy was adopted following a conference between commission officials and representatives of the stations on the machinery for maintaining surveillance over foreign-language programs, and commission members have emphasized that the move is purely protective and that there have been no reports of undesirable programs emanating from the international stations.

Montague, Jackter To Atlanta Meet

A two-day sales meeting of Columbia's Southern division will be held in Atlanta on Saturday and Sunday with Abe Montague, general sales manager, and Rube Jackter, assistant sales manager, presiding.

The meeting will be on sales and exhibition plans for "Arizona" and its exploitation and advertising campaign. Plans for other forthcoming productions will also be discussed.

Schools Out for Draft Aids Gross

A school holiday because of draft registration yesterday boosted matinee business by about 20 per cent, Broadway first run managers estimated. Principal beneficiaries of the school trade were "The Great Dictator" at the Capitol and Astor and "Arise My Love" with Tommy Reynolds' band at the Paramount, both films opening yesterday. More than 1,000,000 registered in New York City.

General 'Wind' Release in Jan.

The complete, uncut production of "Gone With the Wind" will be generally released early in January, with specifications as to minimum admissions which have yet to be decided, William F. Rodgers, M-G-M general sales manager, said yesterday. Formal conferences regarding selling terms have been held but a plan has not yet been decided upon.

Rodgers pointed out that the picture's running time of three hours and 45 minutes posed a problem as to whether or not exhibitors could show the picture profitably at admissions any less than those proposed. He expressed the company's belief that "a great mass audience" still is waiting to see the picture at the lower prices and, accordingly, M-G-M is planning extensive advertising and publicity campaigns for it "just as we would any other big picture coming out of roadshow engagements."

Terms on which the picture will be sold to exhibitors have not been decided as yet, Rodgers said.

See $100,000 Capitol Week For 'Dictator'

Takes $17,000 in First Day; Astor Capacity

"The Great Dictator" is headed for a first week's gross of more than $100,000 at the Capitol, if the first day's pace set by the picture yesterday is maintained.

Such a gross probably would establish an all-time record at the Capitol. It may be compared with the $71,000 first week's gross of "Gone With the Wind" at the same house. In making this comparison, however, it must be remembered that the three hours and 45 minutes running time of "Wind" limited the house to three shows daily, whereas the two hours and six minutes running time of "Dictator" permits a seven-show daily schedule. Moreover, the Capitol encouraged patrons to arrive for the start of each performance by having intermissions between complete performances. The continuous schedule of "Dictator" makes possible a more rapid turnover.

Price scale at the house is the same for "Dictator" as it was for "Wind." The latter picture, however, was not

(*Continued on page 6*)

New York critics appraise "The Great Dictator." — Excerpts from reviews in yesterday's afternoon papers on Page 2.

Arbitration May Be Set Tomorrow

Work on the arbitration mechanics of the proposed consent decree occupied attorneys for the five consenting companies, the Government and representatives of the American Arbitration Association yesterday. The meeting will be resumed today and the arbitration phases may be completed tomorrow.

Drafting of the final sections of the decree itself is also progressing, according to Government representatives, but there is no possibility that the document will be ready for presentation to Federal Judge Henry W. Goddard at the hearing scheduled for next Tuesday, officials said.

"Arise My Love"

[Paramount]

ROMANTIC melodrama attuned to a world plunging over the brink of one precipice after another, made of headlines and the thunder of war planes, and with comedy interludes a step behind or ahead of moments of drama and tragedy, "Arise My Love" gives every evidence of being entertainment stamped with a large plus sign.

There are excitement, drama, fear and frenzy, laughter and tears in a hectic story of a hectic world. There are romance and nonsense, a wave of the flag and a plea for national strength, and it all adds up to box-office appeal for all kinds and conditions of motion picture audiences.

Claudette Colbert once again demonstrates real versatility and charm, in the role of a young woman reporter who is torn between love of her career and love of her flier; Ray Milland is expert and at ease as the young flier, who fights for the love of flying or fighting, or the love of

(*Continued on page 6*)

Reopen Loop House For 'Police' Opening

The State-Lake, Chicago, will be reopened by B. & K. for the premiere of "North West Mounted Police," Oct. 24, to handle the demand for seats following the one-day sellout of the 5,000-seat Chicago Theatre. The Salt-Lake is a 4,000-seater directly across the street from the Chicago.

Paramount home office officials, as well as studio executives and members of the cast, will attend the Chicago premiere. Among those going from the home office will be: Barney Balaban, Paramount president; Adolph Zukor, chairman of the board; Neil F. Agnew, vice-president and distribution head, and Charles Reagan, division manager.

Last Rites for Mix Held at Glendale

HOLLYWOOD, Oct. 16.—Several hundred friends and former associates today paid final tribute to Tom Mix at funeral services at the Little Church of the Flowers at Glendale. Monte Blue read a Masonic ritual, and the service was conducted by the Rev. J. Whitcomb Brougher. Rudy Vallee sang Mix's favorite song, "Empty Saddles." Burial was at Forest Lawn Memorial Park.



Fly the Highest Skyway

to LOS ANGELES

Only 15 hours, 8 minutes, flying TWA's 4-Engine Stratoliners . . . fastest, smoothest flight from New York to the coast! Three other fast TWA flights every day—convenient departure times, every luxury aloft on the Route of the Stratoliners.

$149.95

10% Reduction on Round Trips

Reservations: Your Travel Agent or

MURRAYHILL 6-1640

70 EAST 42nd STREET

TRANSCONTINENTAL & WESTERN AIR, Inc.

TWA

The TRANSCONTINENTAL Airline

Personal Mention

HARRY COHN, Columbia president, is expected to arrive from the Coast today or tomorrow for a home office visit.

•

BUDD ROGERS, vice-president and general manager of Alliance Films Corp., is en route to Hollywood.

•

MORRIS MECHANIC, owner of the New Theatre, Baltimore, is recuperating at Johns Hopkins Hospital after a minor operation.

•

EMMET CASHMAN, RKO home office representative, is visiting the New Haven exchange.

•

MORRIS JOSEPH, Universal exchange manager in New Haven, is still confined to Grace Hospital there after a recent heart attack.

•

GILBERT KANOUR, film critic of the Baltimore *Evening Sun*, was married yesterday to MRS. MILDRED ANDERSON.

•

IRVING BERLIN, LOUIS BERNSTEIN, HAL HORNE, ARTHUR GOTTLIEB and JOHNNY GREEN at Lindy's (51st St.) yesterday for lunch.

WILLIAM F. RODGERS, M-G-M general sales manager, left last night for a three weeks' visit to the studio.

•

DAVID BERNSTEIN, TED HUSING, CHARLES MACARTHUR, WILLIAM F. RODGERS, SIGMUND ROMBERG, J. J. UNGER and MARCUS HEIMAN lunching at Nick's Hunting Room in the Astor yesterday.

•

ALEC MOSS, ARTHUR LOEW, HERMAN ROBBINS, TOBY GRUEN, ARTHUR KRIM, SIDNEY PHILLIPS, BEN BOYAR, JOHN D. HERTZ, JR., CHARLES SONIN, LAUDY LAWRENCE and OTTO PREMINGER having lunch yesterday at Sardi's.

•

LOU POLLOCK, FRED MCCONNELL, AL ALTMAN, BETTY GOLDSMITH, JACK MAYERS, JEFFREY BERNERD and ARTHUR LEE at the Tavern yesterday for lunch.

•

ARTHUR SILVERSTONE, ROBERT WOLFF, MAX WEISFELDT, LOU WEINBERG and RUBE JACKTER lunching at Lindy's (next to the Rivoli) yesterday.

New Low in Mexican Films Is Anticipated

MEXICO CITY, Oct. 16.—Present indications are that Mexico will experience a new low in production this year with the output expected to reach barely 30 features. Chiefly responsible are lack of sufficient money and deficiency in technicians and players.

However, the industry expects a considerable pickup in 1941, as it is relying heavily on the assurance of government aid made by President-elect Avila Camacho, who will take office Dec. 1. He told the industry that he intends to do his utmost for it.

Allen Aide to Bolle

A. Ross Allen, Jr., of the 20th Century-Fox foreign department, has been appointed assistant to Otto W. Bolle, managing director for 20th Century in South Africa. He will sail Nov. 15 for Rio de Janeiro and then to Johannesburg. Bolle is now visiting here.

Second Film for Welles

HOLLYWOOD, Oct. 16.—George J. Schaefer, president of RKO, today authorized a free hand to Orson Welles to produce another film, after witnessing footage shot on "Citizen Kane."

Not Talking Deal, Says Frank Capra

HOLLYWOOD, Oct. 16. — Frank Capra today issued the following statement: "Regarding published stories of negotiations whereby I might become affiliated with another studio, I wish to deny this as wholly without foundation in fact. I have just completed filming 'Meet John Doe' at Warner Bros. studio under happy, harmonious conditions and am keenly conscious of the complete understanding and cooperation received from the entire personnel of the Warner Bros. organization."

Lightstone Rites Today

MONTREAL, Oct. 16.—Funeral services for Joseph Lightstone, 50, veteran Montreal theatre operator, will be held here tomorrow. Lightstone, who owned the Orpheum and Mayfair here, was fatally stricken with a heart attack at his residence Tuesday. Survivors are his widow, a son and five brothers.

More 'Thief' Trade Shows

Two exhibitors' trade showings of "The Thief of Bagdad" have been set by U. A. for today in Indianapolis and tomorrow in Detroit, in addition to others being held this week in exchange centers.

Argentine Films Disturb Mexico

MEXICO CITY, Oct. 16.—Mexican producers are disturbed over the booking of 34 Argentine pictures, 22 of which will be released in Mexico by the end of this year, with the others to arrive early in 1941. Argentine films are gaining in popularity in this country.

As the war has practically shut off further French films from Mexico, Jorge M. Dada, leading importer of these pictures, has turned producer. He expects to have his first production ready for release in the late Fall. Dada is the distributor who recently gained a Federal Supreme Court precedent when the high tribunal approved exhibitions of his film, "Arelette and Her Papas" after it had been banned by the censor.

NY Critics Review 'Great Dictator'

World Telegram: "The Great Dictator" is propaganda first and entertainment afterward. But if it falters now and again as entertainment, the things it says and does must be honored. For seldom has comedy taken up a better cause. If it fails it fails with colors flying, with head unbowed.—*William Boehnel.*

Journal-American: Not only part satire and out-and-out slapstick at which times it's very funny, but also, which makes for uneveness, part grim reality. It's at its best when Chaplin devotes himself to comedy. . . . But, naturally enough, the picture is almost entirely Chaplin.—*Rose Pelswick.*

PM: "The Dictator" is a new Chaplin creation, violently comic at moments, funniest in his tumultuous travesty of Hitler's speechmaking, but in completeness and rightness of conception, no match for the beloved little tramp. . . . The comedy and entertainment of "The Great Dictator" is hung on the tangled framework of Chaplin the thinker's explanation of, and solution for, the world's ills.—*Cecelia Ager.*

Sun: Really not a comedy. It has its funny moments, especially in the first part, when Chaplin is content to make merry and the audience is more than content to have him do so. Mr. Chaplin, who has been going in more heavily for social significance during his last two pictures, now goes completely overboard. He turns his show into a drama that is closer to tragedy than comedy.—*Eileen Creelman.*

Post: At its best when it follows either the Chaplin comic traditions of impolite slapstick or allows Chaplin to exercise his satiric genius on Hitler. And, needless to say, there is nothing better than Chaplin at his best. But in between times the tragedy implicit in the subject overweighs the comedy.—*Archer Winsten.*

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame.

Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.


TS ON THE WAY!
ROBINSON in
DISPATCH
FROM REUTER'S
NA BEST · EDDIE ALBERT · Albert Basserman · Gene Lockhart · Otto Kruger
el Bruce • Montagu Love • James Stephenson • Directed by WILLIAM DIETERLE
ic by Max Steiner • Screen Play by Milton Krims • From a Story by Valentine Williams & Wolfgang Wilhelm
remendous Show News from Warners!

"YOU'RE NEX

Just a few of the congratulations pouring in on Paramount for producing "WORLD IN FLAMES" —this great picture for Americans!

B

"**SUPERB AND TIMELY** feature packed with thrilling scenes, will appeal powerfully to all Americans. Stirring, super-exciting. Gripping audience stuff!" —*Film Daily*

"**IMPARTS A TREMENDOUS EMOTIONAL IMPACT.** Carries a ringing challenge to the United States. A challenging and provocative screen document!" —*M. P. Daily*

"**SHOULD BE SEEN BY EVERY AMERICAN.** A picture which all exhibitors should run and I firmly believe every theatre which shows it will be doing not only itself but every patron and Uncle Sam a real service. Should make money!" —*Jay Emanuel Publications*

"**DRAMATICALLY INTERESTING.** A business builder. A picture that *had* to be produced. The picture should be seen by all!" —*Showmen's Trade Review*

"**A COMPLETELY ENGROSSING PICTURE.** A must for democracy!" —Jay Carmody, Washington Star



Paramount Pictures



T" SAY THE DICTATORS!

UT ARE WE?

Paramount's

"WORLD IN FLAMES"

The screen's most earth-shaking drama
. . . the drama we are living today!

'Nights' Pulls Good $16,000 Loop Gross

CHICAGO, Oct. 16. — "Argentine Nights" drew $16,000 at the Palace. "They Drive by Night," with Lou Breese and his orchestra on the stage of the State-Lake, grossed $17,500. "Strike Up the Band" scored $16,000 in six days at the United Artists.

Estimated takings for the week ending Oct. 11:

"Pastor Hall" (U.A.)
APOLLO—(1,400) (35c-55c-75c) 7 days. 3rd week. Gross: $8,000. (Average, $6,500)
"No Time for Comedy" (W.B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Variety Stage Show. Gross: $34,000. (Average, $32,000)
"Sea Hawk" (W.B.)
GARRICK—(1,000) (35c-55c-75c) 7 days. 2nd week. Gross: $4,000. (Average, $5,000)
"Secret Seven" (Col.)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Ina Ray Hutton and Band. Gross: $15,000. (Average, $13,000)
"Argentine Nights" (Univ.)
"Dance Girls Dance" (RKO)
PALACE—(2,500) (35c-40c-60c) 7 days. Gross: $16,000. (Average, $13,000)
"The Westerner" (U.A.)
ROOSEVELT—(1,500) (25c-55c-75c) 7 days. Gross: $8,500. (Average, $11,000)
"They Drive By Night" (W. B.)
STATE-LAKE—(2,700) (25c-40c) 7 days. Stage: Lou Breese and Orchestra. Gross: $17,500. (Average, $15,000)
"Strike Up the Band" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 6 days. Gross: $16,000. (Average, $14,000)
"Gone With the Wind" (M-G-M)
WOODS—(1,100) (75c-$1.10-$1.50) 7 days. 37th week. Gross: $7,000.

See $100,000 First Week for 'Dictator'

(*Continued from page* 1)

the top grosser at the Capitol, "Anna Christie," for instance, having grossed $109,000 there in March, 1930. "Dictator" grossed approximately $17,000 at the Capitol yesterday. It played to capacity last night. Seat sale for the opening night amounted to more than $6,000. The 4,500-seat house is scaled at 75 cents for matinees and $1.10 evenings.

The 1,000-seat Astor, scaled at $2.20 top, on a two-a-day schedule, was at capacity yesterday. Advance sale of tickets is strong and all seats for weekend performances have been sold out four weeks in advance, according to United Artists.

U. A. claimed that all opening day records at the Capitol were broken yesterday by the Chaplin picture.

Silverstein Suit Upheld

N. Y. Supreme Court Justice Julius Miller has upheld the sufficiency of the complaint of Harry Silverstein against the French Cinema Center, French Film Import Co., Inc.; Andre Heymann and Gerry Heymann. Silverstein as a stockholder and creditor of French Cinema had filed suit seeking appointment of a receiver and dissolution of the firm.

Du-Art Lab Is Sued

Hal A. Porter has filed suit in N. Y. Supreme Court for $12,500 damages against Du-Art Film Laboratories, Inc. The plaintiff claims Du-Art refused to return a negative of a California geographic picture. An answer claims that the film was returned.

"Arise My Love"

[Paramount]

(*Continued from page* 1)

the under-dog, and who is faced with a real problem in his love for Miss Colbert. The support is good. Special mention must go to Walter Abel as Miss Colbert's newspaper syndicate boss in Paris.

The film was produced by Arthur Hornblow, under the direction of Mitchell Leisen. The screenplay was the work of Charles Brackett and Billy Wilder, based on a story by Benjamin Glazer and John S. Toldy. There is plenty of room for the credit to be spread among all of them. However, it is unfortunate that on several occasions, in the romantic situations which arise, certain dialogue lines and situations which are perilously close to the borderline have been permitted to creep in. They are unnecessary and will limit rather than widen audience acceptance.

Milland, American flier, about to face a Spanish firing squad after the war, is saved in a breakneck getaway by a girl reporter posing as his loving and long-suffering wife. In Paris, she evades his entreaties, her eyes focused on her career, which has been given tremendous impetus by the rescue stunt. With war just ahead, she is assigned to Berlin, while he starts for Warsaw to aid Polish defense. He persuades her to stop off for an interlude in a French forest, and while they are there the war bursts upon Europe. They start home, on the *Athenia*. They are saved, her story wins her a new assignment in Berlin and bylines on the war's highlights follow. Then, as they meet once more in that same forest, where she covers the signing of the armistice marking the collapse of France, she tells him that their place is home, to aid in the defense of their country, in the impending fight of the United States to preserve liberty.

Running time, 110 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

London Review

"Under Your Hat"

(British Lion)

LONDON, Sept. 30 (*By Mail*).—If a picture—and a British one at that—makes a trade audience forget that there is an air raid on, and that Hitler's bombers are somewhere about, it must have some of the ingredients of box-office entertainment. These were the conditions under which this new Hulbert Courtneidge comedy musical was shown, this the achievement. A fair conclusion would be that wartime audiences seeking an escape from more sinister preoccupations would find it here—and happily.

Jack and Cecily are long established stage, radio and screen troupers, have their own brand of musical burlesque, can mime, sing and foot it brilliantly, infectiously. This they do through a refreshingly unsubtle tale about a film star who is set to trail a siren and lay hands on a stolen carburetor. The background is English and Continental, and the escapades include matrimonial badinage, hide and seek with the spies, and impersonations of French maids, ballet maestros and Indian Colonels from the Hill Country. Dance routines, both spectacular and burlesque, punctuate the production, which has a most agreeably sustained atmosphere of infectious inconsequentiality.

Maurice Elvey, one of the near veterans of the business, directed and shows that the experienced hand is not always the least effective at finding the box-office mark.

Technically the film is of high standard and there are useful contributions from such players as Leonora Corbett as the siren, Austin Trevor and Cecil Parker.

Running time, 79 minutes. "G."* AUBREY FLANAGAN

**"G." denotes general classification.*

Office Workers to Vote

HOLLYWOOD, Oct. 16. — Walter Spreckels, N.L.R.B. regional director, has set Nov. 23 as the date for a collective bargaining election by office workers at Republic and Universal, and Nov. 25 for Loew's-M-G-M. This was requested by the Screen Office Employes Guild, which claims a majority at all studios.

Sound Stage to Chadwick

HOLLYWOOD, Oct. 16.—A sound stage used by Columbia and adjoining its studio has reverted to its owner, I. E. Chadwick, who will use it for films he will make for Monogram release. The first will be "Her Father's Daughter," from the Gene Stratton Porter novel, scheduled to start the end of this month.

'Alive', Show Take $21,500 Frisco Gross

SAN FRANCISCO, Oct. 16.—Bolstered by the "Folies Bergere" from the Fair, and slightly increased prices, "I'm Still Alive" drew $21,500 at the Golden Gate. "City of Conquest" and "Gay Caballero" drew $16,500 at the Fox. The weather was good.

Estimated takings for the week ending Oct. 8-11:

"I'm Still Alive" (RKO)
GOLDEN GATE—(2,850) (44c-55c-65c) 7 days. Stage: vaudeville. Gross: $21,500. (Average, $15,000)
"City for Conquest" (W. B.)
"The Gay Caballero" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $16,500. (Average, $16,000)
"Hired Wife" (Univ.)
"So You Won't Talk?" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days. Gross: $9,000. (Average, $8,000)
"Strike Up the Band" (M-G-M)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $14,000. (Average, $11,500)
"Foreign Correspondent" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $6,200. (Average, $8,000)
"Brigham Young, Frontiersman" (20th-Fox)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $6,100. (Average, $6,000)
"Dulcy" (M-G-M)
"Sky Murder" (M-G-M)
WARFIELD—(2,680) (15c-35c-40c-50c, 7 days. Gross: $12,500. (Average, $12,000)
"Queen of Destiny" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days, 3rd week. Gross: $1,100. (Average, $1,000)

Held for Sunday Films

HATTIESBURG, Miss., Oct. 16.—Four theatre operators, who defied the Sunday law and operated on Sunday to capacity houses recently, were released on $250 bond after being charged with violation of the law. The men are H. D. Bowers, manager of the Saenger; Tom Hartman, manager of the Lomo Theatre; Harry Casles, manager of the Buck Theatre, and Robert Sigler, manager of the Royal.

To Sell Theatre Assets

NORTH WILKESBORO, N. C., Oct. 16.—Kyle Hayes, receiver of the New Orpheum theatre here, announced that on Oct. 26 he will sell at public auction all assets of the theatre, including projection machines, screen, sound equipment, seats, furniture and fixtures.

'Penitentes' Approved

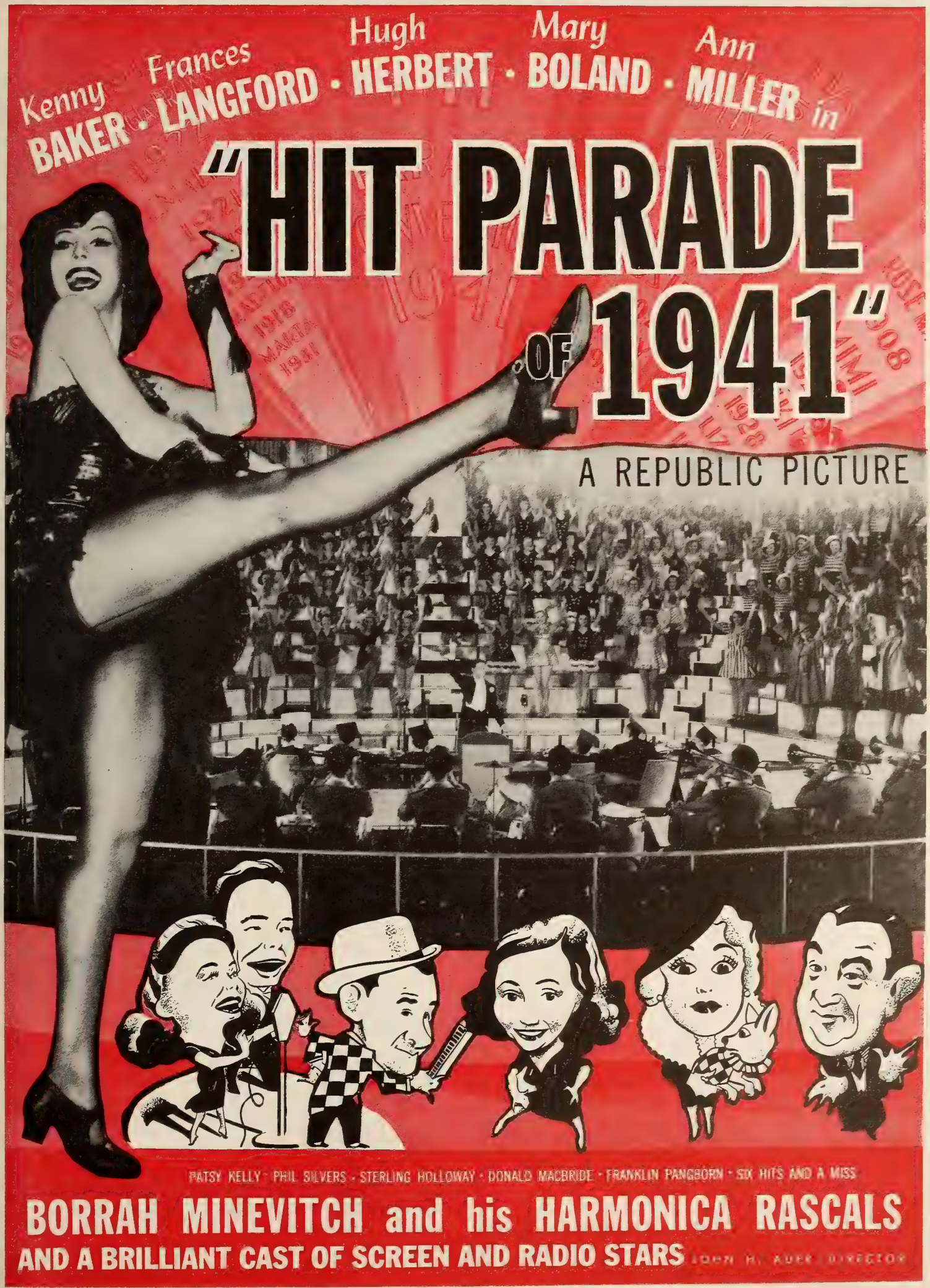
"The Lash of the Penitentes," distributed by Joseph Levinson, has been passed by the New York State censor after having been rejected twice before. Five deletions were made. Vincent G. Hart represented Levinson before the censor board.

La Cava Starts Work

HOLLYWOOD, Oct. 16.—Gregory LaCava has started work under his contract with Universal to produce and direct the next Irene Dunne starring vehicle, as yet untitled.

Close Cartoon Deal

Leon A. Flax, former general manager of Max Fleischer Art Studio, has signed with the Ted Eshbaugh Studios, Inc., for the production of animated cartoons.


Kenny BAKER · Frances LANGFORD · Hugh HERBERT · Mary BOLAND · Ann MILLER in
"HIT PARADE OF 1941"
A REPUBLIC PICTURE
PATSY KELLY · PHIL SILVERS · STERLING HOLLOWAY · DONALD MACBRIDE · FRANKLIN PANGBORN · SIX HITS AND A MISS
BORRAH MINEVITCH and his HARMONICA RASCALS
AND A BRILLIANT CAST OF SCREEN AND RADIO STARS
JOHN H. AUER · DIRECTOR

Off the Antenna

BROADCASTERS and orchestra leaders finally got together yesterday to discuss the BMI-Ascap situation but arrived at no conclusion other than a decision to meet again in the future. The orchestra leaders were anxious to arrange a meeting between Ascap and the radio heads but were unable to obtain definite commitments. Attending the meeting were Neville Miller, National Association of Broadcasters president; John Elmer, NAB director; Sidney M. Kaye, BMI vice-president and general counsel; Fred Waring, Meyer Davis, Ben Cutler, Johnny Greene, Nat Shilkret, Eddy Duchin and John O'Connor.

• • •

Program News: *The Texas Co. will sponsor Metropolitan Opera Saturday afternoons for 16 weeks, beginning Dec. 7, over NBC-Blue. . . . Musterole has renewed sponsorship of five-minute AP news over WEAF for Tuesdays, Thursdays and Saturdays at 6:25 P.M. . . . Pet Milk has renewed "Mary Lee Taylor" over 65 CBS stations Tuesday and Thursday at 11 A.M.*

• • •

Parks Johnson and Wally Butterworth, who conduct "Vox Pop" over CBS, tonight at the Adventurers Club will interview three newsreel men, Lewis Buddy, Jr., head of the European division of Paramount News; Arthur Menken and Philip Coolidge, cameramen. The broadcast will originate from the Hotel Martinique here and is tied in with the premiere of "The World in Flames" at the Loew's Columbia in Washington.

• • •

Purely Personal: *Linton Wells, CBS news analyst, left yesterday for a two-week lecture tour. . . . J. F. Rigby, RCA personnel director, will be guest on WMCA "Labor Arbitration" show Tuesday at 9:15 P.M. . . . Theodore C. Streibert, WOR general manager, has been elected to the BMI board. . . . Edward Lasker has been named first vice-president and general manager of Lord & Thomas, to succeed Sheldon R. Coons, resigned. L. M. Masius, vice-president, was named manager of the New York office, while Thomas A. McAvity has been elected vice-president and will head radio for the agency. . . . Emanuel Dannett, WOR counsel, has been named to the station's board of directors.*

Showmanship Flashes . . .

'Bagdad' Costume Ball To Be Held Saturday

A "Thief of Bagdad" costume ball will be held Saturday night at Manhattan Beach, in a tieup by United Artists on the Alexander Korda color film. Lillian Bond will award prizes for the most unique costume. Arrangements have been made with the Rainbow Shops, Brooklyn stores, to display original costumes from the picture.

Contest on Slogan For New Theatre

PHILADELPHIA, Oct. 16. — Warner Theatres management is seeking a slogan for the new Vernon, to use with its newspaper advertising and publicity campaign for the opening late this month. Guest tickets for the opening day will go to the writers of the 10 best slogans.

Coloring Contest Used For 'Boom Town' Run

CAMDEN, N. J., Oct. 16.—A coloring contest for "Boom Town" was used by the Stanley. Two letters from the title appeared daily in the *Camden Courier* with 25 pairs of admissions offered for the best coloring of the letters which had line sketches of the players superimposed.

'Rockne' Preview Is Attended by Grid Team

MADISON, Wis., Oct. 16.—Edward Benjii promoted interest in "Knute Rockne-All American" by staging a special showing at the Capitol, attended by Coach Harry Stuhldreher and his University of Wisconsin football squad; collegiate cheer leaders and the University band; East high school's gridiron stars in uniform and Mayor James R. Law.

'Flying Press Squadron' On Columbia's 'Arizona'

Columbia is sending a "Flying Press Squadron," traveling via TWA, Eastern and American Airlines, to the country's key cities to cover the preselling of the company's new film, "Arizona." The Western division will be in charge of Lou Smith, head of the West Coast publicity department, and Mike Newman. Jack Thoma has been assigned to the Midwest, and Ed Rosenbaum and Mark Freeland will cover the South and East, respectively.

Elaborate Baltimore Campaign on 'Rockne'

BALTIMORE, Oct. 16.—For the opening of "Knute Rockne-All American," Irving Martin, publicist, at the Stanley here, prepared an elaborate campaign, including a contest in the *New Post*, a sports column devoted entirely to Rockne before the forthcoming Notre Dame-Navy game, announcement of the film at all games, special preview for school football coaches, the appearance of Jim Thorpe in talks at various schools, and football team parades.

Two Companies Formed

ALBANY, Oct. 16.—Two motion picture firms incorporated here are: Amsterdam Amusement Co., Inc., New York, by Minna Tauber, Sylvia Kadish and Shirley Antine, and Guild Associates, Inc., New York, by Douglas Parmentier, Franklin Field and Colin C. Ives.

Woodward to Agency

HOLLYWOOD, Oct. 16. — Woody Woodward has joined Nat Goldstone talent agency as an associate.



"Preston Sturges follows up 'The Great McGinty' with another piece of bright, refreshing entertainment!" —Daily Variety

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 78 NEW YORK, U.S.A., FRIDAY, OCTOBER 18, 1940 TEN CENTS

FILE COPY DO NOT REMOVE

Court Upholds Station's Right To Ban 'Reds'

WSAY in Rochester Canceled Contract

ROCHESTER, Oct. 17.—A radio station "has the right to select what programs it will transmit and to reject such as it chooses," N. Y. Supreme Court Justice John Van Voorhis ruled here today in upholding cancellation of a series of 15-minute Sunday broadcasts sponsored by local Communists over WSAY here.

Justice Van Voorhis denied the Communists' motion for a temporary injunction on finding that a contract entered into last June between Communists and the station owner, Gordon P. Brown, for 13 political broadcasts permitted cancellation by either party on two weeks' notice.

Although the right of a station to determine what programs it should use was not raised during the hearing, Justice Van Voorhis pointed out that "it has been generally understood" that except insofar as it binds itself by contract and provided it does not contravene the law regarding equal opportunities to qualified candidates, a station has the right to select its programs and reject any that it chooses.

Brandt States His Decree Objections

If I.T.O.A. members suffer business injury as a result of the operation of the proposed consent decree, it will sponsor remedial legislation in Congress, Harry Brandt, president, said yesterday.

Brandt issued a statement on his stand on the decree in answer to ques-

(*Continued on page 3*)

Pioneers Approve Five New Members

The executive committee of the Motion Picture Pioneers meeting at the Astor yesterday approved for membership the following: Al Lichtman, Loew's vice-president; Moe Silver, district manager for Warner Theatres; Walter Reade, circuit head; William J. Ganz and Walter Futter.

Marvin Schenck was appointed head of the organization's entertainment committee. Jack Alicoate was placed in charge of the initiation ceremonies, which will take place at the Pioneers' Fall dinner Oct. 24.

Rodgers Condemns Triple Bills at Chicago Meeting

CHICAGO, Oct. 17.—William F. Rodgers, general sales manager of M-G-M, addressing 200 exhibitors at a luncheon today at the Blackstone Hotel, condemned triple bills in Chicago. He said leaders in the industry should take the initiative in attempting to wipe out triples. Triple bills have been a long standing issue here.

Rodgers, who is en route to the studio for conferences, spoke on a variety of industry topics. He reiterated that increased rentals may result because of the loss of foreign revenue unless showmen exert themselves to bring in more revenues.

Recent magazine articles by prominent persons in the industry were censured by Rodgers in his talk. He announced that M-G-M will distribute "Land of Liberty," with the proceeds given to charity.

Among those present at the luncheon were J. E. Flynn, M-G-M district manager; Walter E. Banford, M-G-M branch manager; Carl E. Burmele and Ray Moon of Detroit; Sam Switow of Louisville; Eddie Rubin, Minneapolis; Tom Baker, C. C. Wallace, Indianapolis; Nate Platt, Morris Leonard, Joseph Kaufman, Abe Platt, David Balaban, William Hollander of Balaban & Katz, and Jack Kirsch, president of Allied of Illinois.

Para. Affiliates in Drive for Balaban

A testimonial business drive for Barney Balaban, Paramount president, will be conducted by the 1,200 theatres affiliated with the company during the period from Thanksgiving to Christmas. The drive is in observance of Balaban's fifth year as head of Paramount.

The conduct of the drive will be in the hands of individual circuits and their operators, and special booking, advertising and exploitation plans for the period of the drive already are in work.

'Dictator' Holding Pace on Broadway

"The Great Dictator" displayed no significant slackening of pace in its second day at the Capitol, United Artists reported yesterday. The second day drew an estimated $16,500. With an opening night sale of about $6,000, the film has garnered an estimated $39,000 in two days and three nights at the house.

On a two-a-day basis at the Astor, the film has been playing at capacity and grossed an estimated $5,000 at that house, including last night's take.

(*Continued on page 3*)

800 Due at Variety Club Pittsburgh Banquet Sunday

PITTSBURGH, Oct. 17.—More than 800 industry personalities, many from New York, will gather at the William Penn Hotel Sunday evening for the 12th annual banquet of the Variety Club. This is one of the Pittsburgh organization's big events of the year.



Howard Dietz

Howard Dietz of M-G-M, will act as toastmaster. The list of speakers includes: Charles Laughton, Joe E. Brown, James Roosevelt, Senator James J. Davis, James Crowley, William B. McKechnie, C. W. Galloway, Ray Sprigle and William McGraw.

More than 100 of those attending the banquet are expected from out of town. Many will arrive Saturday to attend the Pittsburgh-Fordham football game.

Among those expected at the banquet are: Lou Astor, Harry Arthur, Jr., Frank Andrews, Howard Buzby, Joseph Bernhard, A. J. Brylawski, Jack Beresin, Charles Berns, Ben Blotcky, Warren Conner, William Carlson, Ray Colvin, Max Cohen, Max A. Cohen, Tom Connors, William Clark, James Clark, E. C. Cocke, Mike Cullen, George Dembow, Ned E. Depinet, Sam Dembow, Harvey Day.

Jay Emanuel, J. E. Fontaine, A. J. Fisher, Jr., Horace Falls, L. C. Griffith, Lou Goldberg, Harry Goldstein, J. R. Grainger, Sam Galanty, Leonard

(*Continued on page 3*)

Pictures Chief Entertainment At Army Posts

Touring Stage Groups May Be Used Later

Motion pictures will be the chief entertainment for the conscripted soldiers at Army posts, at least for the immediate future, Maida Reade, a member of Actors Equity Council, reported here yesterday after an interview in Washington with Col. Henry H. Pfeil, chief of the morale section of the U. S. Army General Staff.

Miss Reade had been designated by Equity to learn the Army's attitude to employment of professional actors. The interview was arranged by Warren Pershing, son of Gen. John J. Pershing.

Col. Pfeil explained that because of the intensive training that will be given the men, films, sports and libraries will be the only recreation provided for the time being, as these activities can be made available at any time for any number of soldiers, Miss Reade reported.

She said, however, that it was her impression as a result of the interview that when the time comes to provide "live" stage entertainment, Equity will not only be consulted but professional actors will be given preference.

The Army plans nightly film shows at all posts, and theatres will be provided at all of them. Additional entertainment, such as amateur theatricals, concerts and the like will be provided by the men themselves.

Kanin Calls for Institutional Ads

Calling for institutional advertising for the industry as a whole and "honest exploitation" of individual pictures, Garson Kanin, director, told members of Ampa at a luncheon at the Hotel Edison yesterday that it was the job of advertising and publicity departments to make "Hollywood a respected center of a respected industry, rather than a carnival."

Kanin said that "there are not enough brains and good stories in the whole world to make 500 good pictures in a year." He urged that exploitation should be more honest and imaginative and highlight the hard work involved in making pictures rather than the Hollywood "idiocies"

(*Continued on page 3*)

Detroit Club Raises $50,000 for Charity

Detroit, Oct. 17.—The Detroit Variety Club's second annual Tag Day to provide clothing, lunches and other necessities for needy children has reached its scheduled goal of $50,000.

Production Shows Progress in Spain

WASHINGTON, Oct. 17.—Film production has made progress in Spain since the close of the civil war, according to a report to the Department of Commerce from the U. S. commercial attache in Madrid. In the period from April, 1939, 24 features have been produced in Spanish studios, in addition to a number of short subjects and newsreels. A number of foreign films also have been dubbed.

A total of 10 producing and five dubbing studios are currently in operation in the country, the report indicates. Foreign companies experience difficulty in introducing new product into the country by reason of Government regulation, which serves consequently as an impetus to Spanish production. Native players and production technique have improved greatly, it is indicated.

London Houses Get New Opening Hours

LONDON, Oct. 17.—The London County Council today granted the request of London theatre operators for revised operating schedules.

On weekdays the theatres may be open from 10:30 A. M. to 9 P. M., and on Sundays, from 1:30 to 7:30 P. M.

French Film Opening For British Charity

The French film, "Mayerling to Sarajevo," distributed in this country by Leo Films, will have its premiere at the Little Carnegie Playhouse next Tuesday evening under the auspices of Bundles for Britain, Inc. John Lodge and Edwige Feuillere have the leading roles.

Lindy's INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

LOUIS K. SIDNEY, M-G-M producer, will arrive in New York today from the studio to arrange radio tieups.

•

THOMAS P. LOACH, Monogram vice-president, has arrived on the Coast.

•

HAL HORNE and JACK PEGLER have returned to New York from a business meeting at the Disney studio.

•

LEONARD GOLDENSON left for Detroit yesterday.

•

LOUIS PHILLIPS will return from Chicago tomorrow.

•

HARRY GOLD, ROBERT WOLFF, MAX WEISFELDT, and LOU WEINBERG lunching yesterday at Lindy's (next to the Rivoli).

•

MR. and MRS. JOHN MORONEY are in town at the Waldorf-Astoria.

•

MR. and MRS. A. H. BLANK have returned to their home in Des Moines, after a week at Excelsior Spring, Mo.

•

J. WILLOZ HAUCHT, owner of a group of theatres in the South, visited here this week, flying from New Orleans in his own plane.

•

LEONARD HOWARD, assistant at the Warner in Wilmington, Del., has resigned to take a position with the DuPont company.

HARRY COHN, Columbia president, and JOSEPH FRIEDMAN, European manager, who has been visiting on the Coast, arrived here by plane yesterday. ABE SCHNEIDER and LEO JAFFE are scheduled to arrive from the Coast by train today.

•

CHARLES STERN, HAL YOUNG, JACK GOETZ, ARTHUR SILVERSTONE and ARTHUR GOTTLIEB at Lindy's (51st St.) for lunch yesterday.

•

CHARLES EINFELD, J. ROBERT RUBIN, ARTHUR MAYER, GEORGE SKOURAS, ERNO RAPEE, ARTHUR HOPKINS, WILLIAM ORR and OWEN DAVIS having lunch yesterday at Nick's Hunting Room in the Astor.

•

JULES LEVEY, JAMES MULVEY, MAURICE BERGMAN, I. E. LOPERT, WILLIAM FITELSON, SAM CITRON and CHARLES PAINE having lunch yesterday at the Tavern.

•

ADOLPH ZUKOR, BARNEY BALABAN, GUY BOLTON, LARRY HART, NAT KARSON, WILLIAM MELNIKER, JOSEPH ROSTHAL, ELSA LANCHESTER, OSCAR SERLIN and TAYLOR HOLMES at Sardi's yesterday for lunch.

•

NORMAN HORNOR, projectionist at the Avery Theatre, Garner, Ia., was recently married to BERNICE HANKINS of Milford, Ia.

Will Name Winners At Para. Club Party

Winners of the production idea contest for Paramount home office employes and theatre personnel in the metropolitan area will be announced at the Fall party of the Paramount Pep Club, to be held Oct. 25 at the Hotel Astor.

Cash prizes have been posted for the employes submitting the best production ideas for Paramount's 1941-'42 schedule. The contest closed last Tuesday.

Lazarus Left $193,997

NEW ORLEANS, Oct. 17.—The estate of Henry Lazarus, theatre owner who died here last September, was valued at $193,997.04, it was learned after inventory was filed in the Civil Court. His widow and one son, Isador L. Lazarus, will receive divisions of the estate, which consists mostly of theatre stock and properties.

Republic Sets Deal

Republic has closed a deal on the 1940-'41 product with the A. E. Lichtman Circuit, Washington and Virginia. Lichtman and Ed Haley represented the circuit, and James R. Grainger, president, and Sam Flax, franchise holder, acted for Republic.

James Roosevelt Due

James Roosevelt and Henry Henigson will arrive from the Coast by plane tomorrow to attend the press exhibit of their nickel-in-slot "Soundies" at the Waldorf-Astoria on Monday.

RKO Gives 4 Weeks' Salary to Draftees

The board of directors of RKO has adopted a policy of giving four weeks' salary to all employes called for military service or volunteering for a one-year training period.

The company also has arranged that those employes may continue their group accident, death and dismemberment coverage. All men called will be reemployed.

Veteran Critic Dies

HALIFAX, N. S., Oct. 17.—Hiram Wier, 82, one of the oldest picture critics in the world, died here suddenly. He had been on one local daily for 55 years, including service as editor, and was a reviewer for the stage and music, as well as motion pictures, covering films since they were introduced into Halifax about 40 years ago.

Answers Due in Suit

Andre Heymann, presdent; French Cinema Center, Inc., and French Film Import Co., Inc., will file answers as defendants in the suit now pending asking a receiver, brought by Harry Silverstein, as a stockholder. N. Y. Supreme Court Justice Miller had determined merely on the sufficiency of the complaint.

Chicago Bans 'Kampf'

CHICAGO, Oct. 17.—The local police censor today banned "After Mein Kampf" on the ground it would arouse racial prejudice. Melvin Hirsch of Crystal Pictures said he contemplated Federal court action to reverse the censor.

Newsreel Parade

THE conscription registration on Wednesday which affected some 16,000,000 *Americans is depicted in and makes the new issues especially important. Contents of the weekend releases follow:*

MOVIETONE NEWS, No. 12—Conscription registration. Dionne quintuplets hear Princess Elizabeth broadcast. Pontifical mass in California. Grand Coulee Dam nears completition. Cotton picking contest. Fashions. Football.

NEWS OF THE DAY, No. 210—Registration. R. A. F. pilots claim air victories. New cargo ship launched in California. Pan-American day at West Point. Fashions. Quintuplets hear Princess Elizabeth on radio. Football.

PARAMOUNT NEWS, No. 15—Cease steel shipments to Japan. Monterey sails for Americans in Japan. Tom Mix dies. Cotton-picking contest. Lindbergh in radio talk. Football. Quintuplets hear Princess Elizabeth over the radio. Registration. Army prepares for conscripts.

RKO PATHE NEWS, No. 15—Motorized division in the army. Quintuplets hear Princess Elizabeth. Army navigators in training. Russian army celebrates war gains. Lindbergh talks on national policy. Registration.

UNIVERSAL NEWSREEL, No. 920—Registration. Last iron shipment to Japan. Army mules trained. Launch new freighter. Tank maneuvers. Princess Elizabeth's radio talk heard by quintuplets. Football. Cotton picking contest. Pioneer festival in Missouri.

'Tugboat' Opening In Tacoma Today

TACOMA, Wash., Oct. 17.—Warners' "Tugboat Annie Sails Again," starring Marjorie Rambeau and Alan Hale, will have its world premiere at three theatres here tomorrow, Hamrick's Roxy, Broadway and Blue Mouse.

Mayor Harry Cain has proclaimed the day "Tugboat Annie Day," and Hedda Hopper will broadcast the premiere on her program at 6:15 P. M. A parade of tugboats and a yacht will precede the opening. Miss Rambeau and Hale will head a group of Hollywood players who will make personal appearances at the houses in connection with the premiere.

Frank C. Walker on Air

Postmaster General Frank C. Walker will be heard tonight at 8 P. M. from Washington over the Mutual network on behalf of the Democratic National Committee.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1. Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

Progress Reported On Decree Drafting

Arrangments for the functioning of arbitration under the proposed consent decree may be completed at a meeting today of the lawyers' arbitration committee and representatives of the American Arbitration Association.

The committee continued its work yesterday at the Bar Association Building but merely reported "progress" and the hope of completing the work at today's session, when it adjourned last night.

Brandt States His Decree Objections

(*Continued from page* 1)

tions put by Abram F. Myers, Allied States chairman and general counsel, in a communication to trade papers last week.

Said Brandt: "We would like to ask Myers why he doesn't query Allied units on why they object to the decree, which, in practically every case, they do."

In addition to his opposition to the blocks-of-five sales proposal, Brandt set forth these objections to the decree, with his own recommendations and comment:

1. *Forcing of shorts*—The language of the decree on this subject is too equivocal and may provide distributors with a loophole. An exhibitor's complaint of shorts forcing should be sufficient to make his contract immediately inoperative, pending arbitration.

2. *Cancellation for cause*—The date of availability rather than date of execution of a contract should determine the time after which notice of rejection of a film on moral grounds may be made by the exhibitor.

3. *Arbitration of clearance disputes*—Boards should be empowered to eliminate all clearance, rather than to maintain "some" clearance.

4. *Remedy for discrimination against independently operated theatres*—There should be a clear, simple statement that any exhibitor has the right to demand a better run and to submit the matter to arbitration. The present language of the decree and the conditions imposed may preclude arbitration in 90 per cent of affected situations. A clear and simple definition of an independent exhibitor should be substituted for that now employed and other definitions and conditions should be altered. The entire provision suggests a lack of good faith.

Cosman Explains Lab Strike Status

J. T. Cosman, president of Producers Laboratories, Inc., declares with reference to a recent strike of Laboratory Technicians Union, Local 702, that the dispute was not about the giving of vacations, which are provided, but concerned the time when vacations were to be taken.

Cosman states, "The union did not force us to give a week's vacation with pay, because we always agreed to the same, and we gave a week's vacation, namely, the week they were on strike."

Kanin Calls for Institutional Ads

(*Continued from page* 1)

and swimming pools. He said that his recent trip through the country convinced him that the frequent flaunting of Hollywood wealth has created a situation in which the industry is held in bad repute.

Harry Brandt, the principal speaker, urged publicity and exploitation men to become more acquainted with industry problems and to make such problems part of their jobs. He said that publicity men should have more to say about titles of films, the appearance of film stars on radio, censorship problems and even exploitation.

More attention should be paid to the 12,000 subsequent runs, Brandt said. Too frequently, a film is given a big sendoff in its first run but by the time it reaches the subsequents a fresh campaign is in progress and the public is permitted to forget the picture. He said that exploitation men acquainted with the problems of the smaller theatre should be assigned to keep a campaign going as a film plays the subsequent runs. Joe E. Brown also spoke.

Demand Release Now Of Willkie Short

HOLLYWOOD, Oct. 17.—Demand that RKO release immediately its second Pathe "Information Please" short with Wendell Willkie was made today by the "We the People Committee," a Willkie group, in a letter to George J. Schaefer, RKO president. The committee includes a number of Hollywood personalities. Robert Montgomery is chairman. Schaefer had no comment to make.

Answering similar demands by Eastern Republican groups, Schaefer recently said that under normal releasing circumstances the second Willkie "Information Please" would be scheduled for release in November or December, and that to release it now might be construed as political propaganda.

Three Firms Formed

ALBANY, Oct. 17.—Three new companies chartered here include: Brookside Films, Inc., New York, by E. J. Sachs, Sharon Kahn and Max Kohn; S. & S. Amusement Corp., Brooklyn, by Joseph Seidman and Harvey A. Tave; Star Amusement Co., Brooklyn, by Jonas Gutchin, Jacob Rolnick and Marie DiNapoli.

Facilitate English Reels' Coverage

As a result of long negotiations between Sir Gordon Craig, general manager of British Movietone News, and the British Government, a committee has been formed to facilitate newsreel operations in the British Isles, according to information received here.

The committee includes the head of the film division of the Ministry of Information, Sir Gordon as chairman of the new British Newsreel Association, and representatives of the Army, Navy and Air Force. Cameramen will be increased near the vital coastal towns of Britain.

'Dictator' Holding Pace on Broadway

(*Continued from page* 1)

At the Music Hall, "They Knew What They Wanted" with a stage show drew an estimated $87,500 for its first week and was held over. "Spring Parade" with a stage show grossed an estimated $40,000 for its second week at the Roxy. "Down Argentine Way" opened there yesterday. The third week of "City for Conquest" and stage show at the Strand drew an estimated $24,000. "Knute Rockne—All American" opens there today with Woody Herman and band.

"I'm Still Alive" grossed an estimated $5,000 in a week at the Rialto, and was followed yesterday by "So You Won't Talk."

Kelly Offers Land in Chicago for Studios

CHICAGO, Oct. 17.—In connection with the opening of the De Mille-Paramount feature, "North West Mounted Police" here next week, Mayor Edward J. Kelly has wired an invitation to De Mille to establish a studio in Chicago. He offered 21 acres in Ilgair Park to producers, donated by the industrialist, Robert A. Ilg.

Sileos on Vacation

Jimmy and Columbia Sileo of Cosmo-Sileo will spend the weekend in Atlantic City, following photographic coverage of a series of film openings, including "The Great Dictator" at the Capitol and Astor.

Theatre Plays Host in Air Raid

IN a dispatch to the home office, Francis L. Harley, 20th Century-Fox managing director in England, recounts that as the audience was leaving the Odeon in London recently after the show about 9:30, the air raid alarms sounded.

William Thornton, manager of the Odeon, invited the 400 patrons to remain. His staff found coffee, milk, biscuits and chocolates, and served them, with music as an accompaniment. When the hour grew late, and the patrons began to make themselves comfortable in the aisles, rugs were provided and converted into temporary beds. All this was provided cheerfully and, of course, without charge to the patrons. The all-clear signal did not sound until 4 A.M.

Such incidents, Harley points out, are multiplied many times as English exhibitors do their share under the difficult conditions imposed by the raids of Nazi bombers.

Holland Can Exhibit Only Nazis' Films

Only pictures censored and approved in Germany since 1936 are permitted for exhibition in Holland, according to an article from Amsterdam by Philip de Schaap in *Motion Picture Herald,* one of the first direct news dispatches on industry conditions in the Lowlands received here since the German invasion.

English and French Films Banned

Vital changes have taken place in the Dutch industry as a result of the occupation. English and French films are entirely forbidden.

The German companies, Ufa and Tobis, and several other firms of Dutch or German origin are supplying the Dutch exhibition market, and Dutch films are permitted only when re-censored by the Nazi authorities. Ufa and Tobis are the only two newsreels released in Holland. The first has existed for many years, and the latter is being produced by the Dutch newsreel companies, Polygoon and Profilti. American reels have long since disappeared from the market.

M. P. Federation Revamped

The Dutch Motion Picture Federation has been revamped. C. S. Roem, former vice-president of the Dutch Bioscoop Bond, is president, and Johan Miedema is vice-president. The managing board includes: B. Kunzig, manager of Ufa in Amsterdam; F. L. D. Strengholt, manager of M-G-M; B. Koch, manager of Tobis; P. J. Beynes, of Gefilex, Catholic organization in Leiden, and J. M. P. ter Linden, manager of the City Circuit. Warner and 20th Century-Fox representatives have been replaced.

800 Due at Variety Club Banquet Sunday

(*Continued from page* 1)

Goldenson, Julius Gordon, John Hollinger, Henry Henigson, William Hardy, Pete Harrison, Ed Kirchner, A. C. Knowles, Ed Kuykendall.

Nat Levy, Chick Lewis, A. E. Lichtman, Tom Lockhart, Jules Lapidus, Sidney Lust, William Lasdon, Jules Levey, Ben Miller, Don Murphy, Edgar Moss, Stewart McDonald, William MacAvoy, Jr., Carl Neese, R. J. O'Donnell, Ted O'Shea, Oscar Olson, William O'Donnell, Paul J. O'Neill, Edward Peskay, Jack Pegler, John G. Paine, H. C. Robinson, Sr., H. C. Robinson, Jr., Harry Ross, William F. Rodgers, Herman Robbins, H. M. Richey, Sam Stiefel, C. E. Smith, Earle Sweigert, Paul Short, Alex Schreiber, Manny Smerling, Carl Shalit, Leonard Schlesinger, A. W. Smith, Jr., E. M. Saunders, William Sussman, W. A. Scully, Cresson Smith, Ben Towsley, Gerald Trimble, Charles Trampe, Paul Terry, Joe Vogel, Fred Wehrenberg, Louis Weinberg, Marc Wolfe and Herbert Yates.

Seven Brokers Sue On Ticket Fee Law

Seven ticket brokers yesterday filed an appeal from the decision of N. Y. Supreme Court Justice J. Sidney Bernstein which upheld the state law limiting brokerage fees on theatre tickets to 75 cents. The brokers seek to upset the law on the ground that the legislature had no constitutional right to restrict ticket brokerage fees.

ARISE, A

ARISE, BO

"ARISE, A

IS H

"Paramount's 'ARISE, MY LOVE' had six local movie reviewers, including this one, gathered at a restaurant for one hour sounding like Paramount publicity agents trying to earn double their salaries...for 'Arise, My Love' is one of the livelier comedies...has punch, pace, humor, thrills and something to think about."
—*New York Evening Post*

'Paramount's 'ARISE, MY LOVE' is one of the gayest and most satisfying comedies of the year . . . you don't run across a script like 'Arise, My Love' very often. Writers Bracket and Wilder have applied the 'Ninotchka' technique . . . acted to perfection . . . brilliantly staged by Mitchell Leisen. Is an altogether superior entertainment."
—*New York Herald Tribune*

"Paramount's 'ARISE, MY LOVE' high adventure...top notch drama . . . hilarious comedy. A smoothly constructed and polished piece of screen merchandise. Audiences generally should afford this picture a hearty reception."
—*Film Daily*

★ ★ ★ ★
"Paramount's 'ARISE, MY LOVE' is a joy to behold . . . a delightful film. The first successful picture made against the current war scenes in Europe . . . reminds us of 'A Farewell to Arms' and 'Love Affair'...but has special appeal of its own. No two players in Hollywood could have given a finer interpretation of the gallant lovers... an enchanting love story."
—*New York Daily News*

MERICA!

X OFFICE!

MY LOVE"

ERE!

CLAUDETTE COLBERT • RAY MILLAND

in

"ARISE, MY LOVE"

with WALTER ABEL • Directed by MITCHELL LEISEN

Screen Play by Charles Brackett and Billy Wilder • Adaptation by Jacques Thery Of An Original Story by Benjamin Glazer and John S. Toldy • A Paramount Picture

"Paramount's 'ARISE, MY LOVE' gives every evidence of being entertainment stamped with a large plus sign . . . merges excitement, drama, fear and frenzy, laughter and tears in a hectic story of a hectic world . . . it all adds up to box office appeal for all kinds and conditions of motion picture audiences."

—*Motion Picture Daily*

"Paramount's 'ARISE, MY LOVE'" is outstanding...a slick blend of romance, adventure and current events. It literally sings its way from one exciting sequence to another and ends on a note of patriotism which is exceptional for its lack of hysterical flag waving . . . makes you want to come back and see it again . . . if you miss this one you are missing one of the cinema treats of the year."

—*New York World Telegram*

Paramount Pictures

MOTION PICTURE DAILY'S BOOKING CHART

ates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After itles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Sept. 20	Howards of Virginia (D) *Cary Grant Martha Scott*	Haunted Honeymoon (D) 104 *R. Montgomery*	That Gang of Mine (D) *Gorcey-Jordon*	I Want A Divorce (D) 4002 *Joan Blondell Dick Powell*	Colorado (O) 051 *Rogers-Hayes*	I'm Still Alive (D) 103 *Kent Taylor Linda Hayes*	Yesterday's Heroes (D) 116 *Sterling-Rogers*	The Westerner (O) *Gary Cooper Walter Brennan*	Mummy's Hand (D) Ragtime Cowboy Joe (O) The Fugitive (D)	City for Conquest (D) *James Cagney Ann Sheridan*
Sept. 27	Angels Over Broadway (D) *D. Fairbanks, Jr.* Glamour for Sale (D)	Strike Up The Band (M) 103 Sky Murder (D) 105	The Ape (D) 4001 *Boris Karloff*	Rangers of Fortune (O) 4003 *MacMurray P. Morrison*	Under Texas Skies (O) 062 *3 Mesquiteers*	Triple Justice (O) 086	Brigham Young (D) 107 *Tyrone Power Linda Darnell*	Thief of Bagdad (D) *Conrad Veidt Sabu*	Spring Parade (M) 5001 *Deanna Durbin R. Cummings*	
Oct. 4	So You Won't Talk (C) *Joe E. Brown F. Robinson*	Dulcy (C) 106 *Ann Sothern Ian Hunter*	Drums of the Desert (D) *Ralph Byrd*	The Quarterback (C) 4004 *Wayne Morris Virginia Dale*	Frontier Vengeance (O) 072 *Don "Red" Barry*	The Villain Still Pursued Her (C) 105 *Herbert-Louise*	Gay Caballero 108 *Cesar Romero Robert Sterling*		Diamond Frontier (D) 5019 *McLaglen-Nagel*	Knute Rockne-All American (D) *O'Brien-Page*
Oct. 11		Third Finger Left Hand (C) *Myrna Loy Melvyn Douglas*		Cherokee Strip (O) 4005 *Richard Dix Florence Rice*	Melody and Moonlight (M) 005 *Johnny Downs*	Too Many Girls (M) 106 *Ball-Carlson*	Down Argentine Way (M) 113 *Don Ameche Betty Grable*		A Little Bit of Heaven (M) *Gloria Jean Robert Stack*	Father Is a Prince (C) *Grant Mitchell Nana Bryant*
Oct. 18	Nobody's Children (D) *Edith Fellows Billy Lee*		Old Swimmin' Hole (D) 4010 *Moran-Jones*	Moon Over Burma (D) 4006 *Dorothy Lamour*	Hit Parade of 1941 (M) 001 *Kenny Baker Frances Langford*	Laddie (O) 107 *Tim Holt V. Gilmore*	Night Train (D) 114 *M. Lockwood Rex Harrison*		Slightly Tempted (C) 50-24 *Hugh Herbert*	Dispatch from Reuters (D) *Ed. G. Robinson Edna Best*
Oct. 25	West of Abilene (O) Girls Under 21 (D)	Hullabaloo (C) 109 *Frank Morgan Billie Burke*	Phantom of Chinatown (D) *Keye Luke*	Christmas in July (C) 4007 World in Flames (D)	Young Bill Hickok (O) 052 *Roy Rogers*	They Knew What They Wanted (D) *C. Laughton Carole Lombard*	The Great Profile (C) 111 *John Barrymore*		Seven Sinners (D) *Marlene Dietrich John Wayne*	Tugboat Annie Sails Again (D) *M. Rambeau Alan Hale*
Nov. 1	Blondie Plays Cupid (C) *Penny Singleton Arthur Lake*	Escape (D) 108 *Norma Shearer Robert Taylor*	Oklahoma Bound (O) *Tex Ritter*	Dancing on a Dime (C) 4008 *Grace McDonald Robert Paige*	Who Killed Aunt Maggie (D) *John Hubbard Wendy Barrie*	Li'l Abner (C) 109 Too Many Girls (M)			I'm Nobody's Sweetheart (D) 5036 Island of Black Gold (D) 50.52	Lady With Red Hair (D) *Miriam Hopkins Richard Ainley*
Nov. 8		Bitter Sweet (M) *J. MacDonald Nelson Eddy*	Chamber of Horrors (D) *Leslie Banks*	Arise My Love (D) 4009 *Claudette Colbert Ray Milland*	Friendly Neighbors (M) *Weaver Bros. and Elviry*	Little Men (D) *Kay Francis Jack Oakie*	Mark of Zorro (D) 117 *Tyrone Power Linda Darnell*	Son of Monte Cristo (D) *Joan Bennett Louis Hayward*	Fireman Save My Child (C) *Baby Sandy Stuart Erwin*	Always a Bride (C) *Rosemary Lane*
Nov. 15	Beyond the Sacramento (O) Lone Wolf Keeps a Date (D)	Fighting Sons (D) *Jackie Cooper Bonita Granville*		Three Men from Texas (O) 4050 *William Boyd Russell Hayden*	Trail Blazers (O) *3 Mesquiteers* Melody Ranch (O)	Mexican Spitfire Out West (C) *Lupe Velez*	Street of Memories (D) 102 *Lynne Roberts*		Caribbean Holiday (M) *Nancy Kelly Alan Jones*	South of Suez (D) *George Brent Brenda Marshall*
Nov. 22	Passage West (D) *Pat O'Brien C. Bennett*	Little Nellie Kelly (M) *Judy Garland George Murphy*		North West Mounted Police (D) 3946 *Gary Cooper*	Texas Terrors (O) *Don "Red" Barry Julie Duncan*	You'll Find Out (M) 108 *Kay Kyser and Orchestra*	Hudson's Bay (D) 115 *Paul Muni Virginia Field*	Long Voyage Home (D) *John Wayne Thomas Mitchell*	Meet the Wildcat (D) 5023 *Ralph Ballamy*	The Letter (D) *Bette Davis Herbert Marshall*
Nov. 29	This Thing Called Love (C) *Rosalind Russell Melvyn Douglas*	Comrade X (C) *Clark Gable Hedy Lamarr*			Meet the Missus (C) *Higgins Family*	Kitty Foyle (D) *Ginger Rogers*	Youth Will Be Served (D) 119 *Jane Withers Jane Darwell*		The Bank Dick (C) *W. C. Fields Una Merkel*	East of the River (D) *John Garfield Brenda Marshall*
Dec. 6	Thundering Frontier (O) *Chas. Starrett Iris Meredith*			Night at Earl Carroll's (C) *Ken Murray Lillian Cornell*					Margie (C) *Tom Brown Nan Grey*	

PARAMOUNT SHORTS are 100% Box Office Tested!



September 27 (Color) 'UNUSUAL OCCUPATIONS No. 1'



October 4 Grantland Rice Sportlight 'THE SPORTING EVERGLADES'



October 11 Paragraphic 'NATURE'S NURSERY'



October 18 Gabby Color Cartoon (Technicolor) 'KING FOR A DAY'

Paramount Shorts are the Pride of the Show!

Boston Gives 'Band' Good $30,700 Tally

BOSTON, Oct. 17.—"Strike Up the Band" and "The Secret Seven" scored a total of $30,700 at two houses, $12,500 at Loew's State and $18,200 at Loew's Orpheum. Grosses were generally slow in a week of fair weather.

Estimated takings for the week ending Oct. 9:

"Up in the Air" (Mono.)
"Three Men from Texas" (Para.)
"Argentine Nights" (Univ.)
"Black Limelight"
KEITH BOSTON—(3,200) (25c-35c-40c-55c). Vaudeville with Al Trahan four days, split week. Gross: $5,500. (Average, $8,000)
"Spring Parade" (Univ.)
"Yesterday's Heroes" (20th-Fox)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $14,200. (Average, $16,000)
"Wyoming" (M-G-M)
"Dr. Kildare Goes Home" (M-G-M)
METROPOLITAN—(4,367) (25c-35c-40c-55c) 7 days. Gross: $15,000. (Average, $15,500)
"Brigham Young—Frontiersman" (20th-Fox)
"One Crowded Night" (R-K-O)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $5,500. (Average, $7,500)
"Brigham Young—Frontiersman" (20th-Fox)
"One Crowded Night" (RKO)
FENWAY — (1,320) (25c-35c-40c-55c) 7 days. Gross: $3,400. (Average, $4,500)
"I Want a Divorce" (Para.)
"Captain Caution" (U. A.)
SCOLLAY—(2,500) (25c-44c-50c) 7 days. Gross: $3,500. (Average, $4,000)
"Strike Up the Band" (M-G-M)
"The Secret Seven" (Col.)
LOEW'S STATE — (3,000) (25c-35c-40c-55c) 7 days. Gross: $12,500. (Average, $12,000)
"Strike Up the Band" (M-G-M)
"The Secret Seven" (Col.)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $18,200. (Average, $17,500)

'Ramparts," Dorsey $17,000, Cleveland

CLEVELAND, Oct. 17.—"The Ramparts We Watch," with the orchestra of Jimmy Dorsey on the stage at the RKO Palace, led the field, grossing $17,000.

Estimated takings for the week ending Oct. 10:

"Howards of Virginia" (Col.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $3,500. (Average, $4,000)
"No Time for Comedy" (W. B.)
WARNER'S HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $11,000. (Average, $11,000)
"River's End" (W. B.)
"Queen of Destiny" (RKO)
LAKE—(900) (28c-40c) 5 days. Gross: $500. (Average, 7 days, $1,500)
"Ramparts We Watch" (RKO)
RKO PALACE—(3,100) (33c-47c-55c) Jimmy Dorsey's orchestra. 7 days. Gross: $17,000. (Average, $13,500)
"The Westerner" (U. A.)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $11,500. (Average, $11,000)
"Boom Town" (M-G-M)
LOEW'S STILMAN—(1,900) (33c-47c-55c) 7 days, 4th week. Gross: $4,500. (Average, $4,000)

Club Night in Seattle

SEATTLE, Oct. 17.—Beginning Oct. 21, every Monday night will be Club Night at the Northwest Film Club. Edward Miller, new entertainment committee chairman, is planning a city-wide dance for November.

Using Weekly Vaudeville

WATERBURY, Oct. 17.—Loew's, Inc., have booked Wednesday vaudeville at the Loew-Poli.

Ban on Ohio Game Is Halted by Writ

MIDDLETOWN, O., Oct. 17.—Common Pleas Judge Fred B. Cramer has granted a temporary injunction restraining police officials from interfering with Sweepstakes at the Northio Paramount, which resumed the game last night. It was discontinued last week when a city ordinance became effective making it illegal to operate any form of lottery in the theatre or elsewhere requiring numbers slips.

The injunction is the outgrowth of a suit filed by Northio Theatres against Hugh A. King, Chief of Police, and the Middletown City Commission, in which a permanent injunction is sought against the Chief of Police "threatening to arrest persons intending to become patrons of the theatre; from enforcing provisions of the ordinance; from interfering with the plaintiff in conducting its business, and to declare the ordinance illegal."

'Parade' Scores $5,000 in St. Louis

ST. LOUIS, Oct. 17.—"Spring Parade" took $5,000 at the Missouri. "Strike Up the Band" drew $11,500 in its second week at Loew's State.

Estimated takings for week ending Oct. 10:

"Strike Up the Band" (M-G-M)
"The Secret Seven" (Col.)
LOEW'S STATE — (3,162) (28c-39c-44c-56c) 7 days, 2nd week. Gross: $11,500. (Average, $13,000)
"The Ramparts We Watch" (RKO)
"Public Deb No. 1" (20th-Fox)
FOX—(5,038) (28c-39c-44c-50c) 7 days. Gross: $8,000. (Average, $11,000)
"No Time for Comedy" (W.B.)
AMBASSADOR—(3,081) (28c-39c-44c-56c) 7 days. Gross: $9,800. (Average, $11,500)
"Spring Parade" (Univ.)
MISSOURI—(3,514) (28c-39c-44c-56c) 7 days. Gross: $5,000. (Average, $4,000)
"Men Against the Sky" (RKO)
ST. LOUIS—(4,000) ((25c-35c) 7 days. Gross: $2,700. (Average, $2,600).

'Boom Town' Draws $11,000 in Montreal

MONTREAL, Oct. 17.—"Boom Town" tallied $11,000 at Loew's. "Hired Wife," at the Palace drew $9,000.

Estimated takings for the week ending Oct. 11:

"Argentine Nights" (Univ.)
"You're Not So Tough" (Univ.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $5,500. (Average, $8,000)
"Boom Town" (M-G-M)
LOEW'S—(2,800) (30c-40c-60c) 7 days. Gross: $11,000. (Average, $8,000)
"The Westerner" (U. A.)
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $5,000. (Average, $5,000)
"Hired Wife" (Univ.)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $9,000. (Average, $9,000)
"Dance, Girl, Dance" (RKO)
"Wildcat Bus" (RKO)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $3,000. (Average, $4,500)

Poll St. Louis Houses On Doubles, Triples

ST. LOUIS, Oct. 17.—The Better Films Council of Greater St. Louis is polling exhibitors in St. Louis on the matter of double and triple features.

In a letter signed by Mrs. Edda Randall, president, the council says it has been sympathetic to the many problems facing the exhibitor, but is greatly concerned about the double feature program.

100% Possibility

Cincinnati, Oct. 17.—There is at least one exhibitor here whom Peter Niland, Columbia salesman, has no difficulty in selling. There has never been an exchange of words over product, price, playing time, or the other questions.

The exhibitor is Peter Niland, the same Columbia salesman, who also operates the suburban Fairmont.

'Parade' Is Big in Seattle With $8,200

SEATTLE, Oct. 17.—"Knute Rockne—All American" at the Orpheum took $7,500 and "Spring Parade" at the Paramount drew $8,200. The weather was cool and slightly rainy.

Estimated takings for the week ending Oct. 11:

"Boom Town" (M-G-M)
BLUE MOUSE—(950) (35c-50c-65c) 7 days. 5th week. Gross: $3,000. (Average, $4,000)
"Strike Up the Band" (M-G-M)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. 2nd week. Gross: $6,800. (Average, $7,000)
"Foreign Correspondent" (U.A.)
LIBERTY—(1,800) (30c-40c-55c-65c) 7 days. 2nd week. Gross: $6,200. (Average, $5,000)
"Hired Wife" (Univ.)
"The Gay Caballero" (Univ.)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days. 2nd week. Gross: $3,500. (Average, $4,000)
"Knute Rockne—All American" (W.B.)
"South of Karanga" (Univ.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $7,500. (Average, $6,000)
"Girl from God's Country" (Rep.)
"Sing, Dance, Plenty Hot" (Rep.)
PALOMAR—(1,500) (30c-40c-50c) 7 days. Vaudeville headed by Bob Ripa & Co. Gross: $5,100. (Average, $5,000)
"Spring Parade" (Univ.)
"The Quarterback" (Para.)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. Gross: $8,200. (Average, $6,000)

'Westerner' Draws $11,500, Kansas City

KANSAS CITY, Oct. 17. — "The Westerner" and "Sky Murder" took $11,500 at Loew's Midland, and "No Time for Comedy" with "Stranger on the Third Floor" did $6,100.

Estimated takings for the week ending Oct 8-10:

Hired Wife (Univ.)
ESQUIRE—(800) (28c-44c) 7 days. Gross: $2,300. (Average, $2,200)
The Westerner (U. A.)
Sky Murder" (M-G-M)
MIDLAND—(4,000) (28c-44c) 7 days. Gross: $11,500. (Average, $9,500)
"Rangers of Fortune" (Para.)
NEWMAN—(1,900) (28c-44c) 7 days. Gross: $6,000. (Average, $7,000)
"No Time for Comedy" (W. B.)
"Stranger on the Third Floor" (RKO)
ORPHEUM—(1,500) (28c-44c) 7 days. Gross: $6,100. (Average, $5,000)
"Slightly Tempted" (Univ.)
TOWER—(2,200) (30c) 7 days. Stage: Whitey Ed Ford. Morrell Sisters & Billy, Charles & Helen Stone. Gross: $5,900. (Average, $6,000)
"Hired Wife" (Univ.)
UPTOWN—(2,000) (28c-44c) 7 days. Gross: $3,800. (Average, $3,000)

French Film to Open

"Heritage," French film, will open at the Belmont Theatre on Nov. 4.

'Rockne' Hits Fine $23,800, Philadelphia

PHILADELPHIA, Oct. 17.—A holiday weekend, coupled with favorable weather, aided grosses. "Knute Rockne—All American" at the Fox took $23,800, while the Earle, coupling "Public Deb No. 1" with Glen Gray-Andrews Sisters on the stage, drew $26,000 in the second week.

Estimated takings for the week ending Oct. 9-11:

"The Great Profile" (20th-Fox)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days. Gross: $6,600. (Average, $9,000)
"Boom Town" (M-G-M)
ARCADIA—(600) (45c-55c-65c) 7 days, 3rd run. Gross: $4,400. (Average, $2,600)
"Strike Up the Band" (M-G-M)
BOYD — (2,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $16,700. (Average, $13,000)
"Public Deb No. 1" (20th-Fox)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including Glen Gray and the Casa Loma Band, Andrews Sisters, Three Berry Brothers. Gross: $26,000. (Average, $14,000)
"Charlie Chan at the Wax Museum" (20th-Fox)
FAY'S—(2,190) 15c-29c-35c-46c-57c) 7 days with vaudeville including Sunya Smiles Slane, June Taylor, Chas. Slim Timblin, Lewis Sisters, Arnaut Brothers, Lalage and Miller & Wright. Gross: $7,900. (Average, $6,900)
"Knute Rockne—All American" (W. B.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $23,800. (Average, $13,000)
"Brigham Young" (20th-Fox)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,200. (Average, $3,000)
"City for Conquest" (W. B.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,900. (Average, $4,500)
"The Westerner" (U. A.)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 5 days, 2nd week. Gross: $8,100. (Average, $14,000)
"The Great McGinty" (Para.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $5,300. (Average, $4,500)

'Conquest' $7,000 Indianapolis Best

INDIANAPOLIS, Oct. 17.—"City for Conquest" and "River's End" with $7,000 at the Indiana, and a second week gross of $7,500 for "Strike Up the Band" and "The Secret Seven" at Loew's were the leaders in a week of warm weather.

Estimated takings for the week ending Oct. 11:

"No Time for Comedy" (W. B.")
"Tom Brown's School Days" (RKO)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $6,300. (Average, $6,000)
"City for Conquest" (W. B.)
"River's End" (W. B.)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $7,000. (Average, $5,500)
"Strike Up the Band" (M-G-M)
"The Secret Seven" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. 2nd week. Gross: $7,500. (Average, $7,000)
"Queen of the Yukon" (Mono.)
LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: Phil Spitalny's All-Girl Orchestra, plus show. Gross: $7,600. (Average, $8,000)

Operators Union Meets

NEW HAVEN, Oct. 17.—Operators' Local 273 will meet over the weekend at Trades Council Hall, with Nelson Frazier presiding, to finish discussions of the new contracts with circuits and independents in this territory.

Form Theatre Company

LITTLE ROCK, Ark., Oct. 17.—General Amusement Co., Inc., of Little Rock, has been organized by C. C. Mundo and several associates.

Argument Dec. 2 on Radio Monopoly

Washington, Oct. 17.—Oral argument on the long delayed and controversial report on monopoly in radio was set for Dec. 2-3 by the FCC today and the final date for filing of briefs was extended to Nov. 11. The report, in six volumes, was submitted to the FCC on June 12 by a subcommittee appointed to study the problem. Much of the questioning during the hearings on the reappointment of Thad H. Brown as member of the FCC was devoted to the monopoly report.

New Mass. Station Authorized by FCC

WASHINGTON, Oct. 17.—The Federal Communications Commission has granted a construction permit to the Hampden-Hampshire Corp. for a new 1,370-kilocycle, 250-watt broadcasting station at Holyoke, Mass.

Also granted were the applications of Stations KFKA, Greeley, Col., for increase of power from 500 to 1,000 watts, night; KVIC, Victoria, Tex., for increase of night power from 100 to 250 watts; WGOV, Valdosta, Ga., for increase of night power to 250 watts; and WWJ, Detroit, Mich., WIS, Columbia, S. C., and WIND, Gary, Ind., for increase of night power from 1,000 to 5,000 watts.

An application for a construction permit for a new 1,500-kilocycle, 100-watt station at Pittsfield, Mass., was filed by the Western Massachusetts Broadcasting Co., and a request for increase of day power from 500 to 1,000 watts was submitted by Station WORL, Boston.

M.I.T. Has Theatre Management Course

BOSTON, Oct. 17.—The Massachusetts Institute of Technology at Cambridge has instituted a course in theatre management, including 16 lectures, from Oct. 21 to Feb. 24, 1941. Certificates will be granted to those who complete the course satisfactorily.

Arthur L. Tuohy, University extension instructor, and former manager of Loew's theatres in Boston, is in charge of the course. Among those who will deliver the lectures are: Charles Kurtzman, Howard Burkhardt, Thad C. Barrows, Ben Domingo, Joseph A. Di Pesa, John A. Granara, Jack Saef, Maurice Wolf, Chester Stoddard, Harry I. Wasserman, Stanley Sumner, Louis Chiaramonte and Joseph H. Brennan.

Brandt Aids Democrats

Harry Brandt, head of Brandt theatres, yesterday accepted chairmanship of the theatre section of the Democratic Campaign Committee for the reelection of President Roosevelt.

Montgomery at Forum

Robert Montgomery will address the *Herald Tribune* Forum here next Wednesday on the relation of the screen to art and public affairs.

Off the Antenna

BMI yesterday released its first listing of songs which will be available to radio after Jan. 1 if the Ascap license is not renewed. The first catalogue consists of M. H. Cole phonograph records, mainly Western ballads and other American folk music. The list is available immediately to all stations having Sesac licenses and after Jan. 1 to all BMI-licensed stations.

• • •

Purely Personal: *Paul McCluer has been named NBC-Red central division sales manager, and E. R. Borroff has been promoted to Blue sales manager for the same division. . . . Gene & Glenn, heard over NBC-Red as "Jake & Lena," are celebrating their 100th year in radio. . . . Two WHOM engineers, Max Markel and Jack Sperling, have resigned from the station to volunteer as civilian radio engineers in the U. S. Army Signal Corps. . . . John D. Kelsey, formerly with WIP and WHAT, Philadelphia, has joined WHOM as announcer.*

• • •

NBC seems to be going in for double talk these days. For the second time in a month, a voice came over double. It was Lowell Thomas' 6:45 P.M. program last night.

• • •

Mutual reported yesterday that the first station in Wyoming to become a national network affiliate was KYAN, Cheyenne, which will join MBS on Oct. 21. The station operates on 1,370 k.c. with 250 watts, full time. In the next few days WELI, New Haven, operating on 930 k.c. with 500 watts, day, and 250 watts, night, will join the Colonial network, Mutual's New England link. This will bring the total of MBS affiliates to 156.

• • •

Program News: *Lever Bros. has renewed the "Lux Radio Theatre" over 65 CBS stations. . . . Better Speech Institute, sponsor of "Speak Up, America" over 46 NBC-Blue stations, is offering a $1,000 weekly prize to listeners in a contest offer. . . . Julius Colby will take his WMCA microphone backstage tonight for interviews at "George Washington Slept Here." . . . Gilbert Braun is seeking film publicity material for Charles Stark's "In Movieland" program over MBS.*

Theatre Changes

Plans Philadelphia Suburban

PHILADELPHIA, Oct. 17.—Albert J. Fischer, Jr., owner of several theatres in the Philadelphia suburban area, is president of the newly formed Edge Moor Theatre Co., which has signed a long term lease on the new $200,000 theatre building to be developed in Edge Moor Terrace, new development near Wilmington. The house will seat 800. Work will start late this month for completion before Feb. 1.

Takes Louisville Theatre

INDIANAPOLIS, Oct. 17. — Dudley Williston, operator of the de luxe Walker and the smaller Park and Lido, houses for Negroes here, has acquired the Dixie, Louisville, Ky., closed for several months.

Plans Wichita Theatre

KANSAS CITY, Oct. 17.—R. E. Conrad plans a new theatre at Wichita, Kan., to seat 500. The policy will be 10 and 15 cents for double bills.

Renovate New Haven House

NEW HAVEN, Oct. 17.—John Cannon has closed the 700-seat Cannon to complete renovation.

Myers Takes Jersey Theatre

ELMER, N. J., Oct. 17.—Al Myers, former New York theatre manager, has taken over the local Elmer.

Open New Butterfield Unit

BATTLE CREEK, Mich., Oct. 17.—The Bijou, new unit of W. S. Butterfield Theatres, has opened here.

Rochester House Reopens

ROCHESTER, Oct. 17. — Dark since last Spring, the Embassy has reopened here.

South Bend House to B. & K.

CHICAGO, Oct. 17.—Balaban & Katz has acquired the Granada, 2,400-seat house at South Bend, Ind. It formerly was operated by Jerry Shinbach of the Indiana Theatres Corp. The acquisition gives B. & K. four houses in the city. David Wallerstein will supervise operation of the theatre.

Manages Alabama House

MONTGOMERY, Ala., Oct. 17.—Robert McLendon, who has been connected with the Paramount and Empire Theatres for several years, has been appointed manager of the Fairhope in Fairhope, Ala.

Warners Open New Theatre

BRISTOL, Conn., Oct. 17.—Warners have opened the new 806-seat Bristol, on the site of the old Bristol Theatre, destroyed by fire last year. It seats 350.

Open South Carolina House

TIMMONSVILLE, S. C., Oct. 17.—Timmonsville's newest house, the State, has opened. F. A. Greene is owner and operator of the house, which seats 500.

Lowe Acquires Camden House

CAMDEN, N. J., Oct. 17.—E. M. Lowe, who once operated the Embassy, Westville, N. J., has taken over the Elm here.

Reopens in Allentown

ALLENTOWN, Pa., Oct. 17.—George Kurlansik, owner of the Towne, has opened the renovated 630-seat Transit.

Reopens De Kalb in Brooklyn

Henry Fisher has acquired and reopened the De Kalb, Brooklyn.

Short Subject Reviews

"Flag of Humanity"

(Warners)

The founding of the American Red Cross through the tireless effort and courage of Clara Barton is brought to the screen expertly and effectively. The necessity of such an organization is instilled in Miss Barton's mind while a nurse on the battlefield during the Civil War, after which she devotes her entire life to the cause.

Nana Bryant, Fay Helm, John Hamilton, Ted Osborne and John Arledge are the principal players involved. Miss Bryant in the top role is splendid. The short, in color, is an emotion-stirring dramatization of an inspiring chapter in American history. Running time, 20 mins.

"Holiday Highlights"

(Warners)

The laughs are many as the various holidays are reviewed comically in this "Merrie Melody" from Leon Schlesinger. A bashful boy is seen as a violent lover on Valentine's Day, and celebrations on New Year's Eve, Easter, Thanksgiving, etc., are depicted in similar burlesque fashion. A highlight is an All Fool's Day gag at which point the screen goes blank and the off-screen commentator laughs at the audience. This rates high in cartoon comedy. Running time, 7 mins.

"Prehistoric Porky"

(Warners)

Porky Pig as a caveman in the stone age and in search of a new fur suit encounters various prehistoric monsters but has little difficulty until he meets a saber-tooth tiger. The latter is about to devour Porky but quietly walks away when he hears the pig's pleas. Children should enjoy the cartoon. Running time, 7 mins.

"Picture People, No. 2"

(RKO-Pathe)

This is the second in a new series which has for its subject Hollywood personalities. Elsie, the Borden cow, is in the opening sequence with Kay Francis. Bob Burns gags, Bill Robinson gives a billiard exhibition and a number of other film favorites are seen. Entertaining. Running time, 9 mins.

"Information Please, No. 2"

(RKO-Pathe)

Ruth Gordon, again as guest expert, contributes both charm and the required information. Spontaneous wit on the part of all concerned, particularly Oscar Levant, is in evidence, though the extensive knowledge of the board is given little opportunity, the queries being easier than usual. This is as humorous and entertaining as any of the series. Running time, 10 mins.

"Trailer Tragedy"

(RKO)

This is an Edgar Kennedy comedy with Vivian Oakland, Bill Franey and others. It has a fairly amusing story that employs Kennedy with his usual gesticulations and other bits of slapstick. The comedian, his wife and his father-in-law go on a trailer trip. Running time, 17 mins.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 79 NEW YORK, U. S. A., MONDAY, OCTOBER 21, 1940 TEN CENTS

Para. May Go To Court on 'Flames' Ban

Rejected as 'Improper' By Pa. Censors

Paramount may initiate legal action in Philadelphia today in an effort to have the Pennsylvania censor board's ban on "The World in Flames" removed, Neil F. Agnew, vice-president in charge of distribution, said over the weekend.

The ban on the picture was imposed by the board last Friday on the ground that the picture "has a tendency to corrupt and debase morals, and is not proper." Delay in entering an appeal was caused by the absence from Philadelphia of Earle W. Sweigert, Paramount branch manager, who was in Pittsburgh over the weekend.

Commenting on the Pennsylvania board's ban, Agnew pointed out that it had been given its world premiere in Washington the night before and had drawn favorable comment from a distinguished audience of Government officials and members of the U. S. Supreme Court, including Secretary of War Henry L. Stimson, Secretary of

(Continued on page 7)

Variety Club Baby Feature of Banquet

PITTSBURGH, Oct. 20.—A feature of the 12th annual Variety Club banquet at the William Penn Hotel here tonight was the presentation by C. J. Latta, retiring local chief barker, of the club's newly adopted baby.

The presentation was made to C. C. Kellenberg, incoming chief barker. The baby has been named Joe Elmer Brown, after Joe E. Brown, the actor.

About 900 attended the affair, which honored Latta and his retiring "crew." There was a large delegation from the East, and early arrivals for the Allied M.P.T.O. of Western Pennsylvania convention, opening tomorrow, attended.

Philadelphia Club To Honor Walker

PHILADELPHIA, Oct. 20.—Frank C. Walker, Postmaster General, will be guest of honor at the annual Variety Club banquet at the Bellevue-Stratford Hotel here on Dec. 12.

Walker will be honored at a dinner Oct. 28 in Scranton sponsored by the Lackawanna County Democratic Committee.

Charles McCarthy Appoints Bergman Advertising Head

Maurice A. Bergman, director of advertising and publicity for Columbia Pictures, on Dec. 2 will join 20th Century-Fox as advertising manager. The appointment was made by Charles E. McCarthy, director of 20th Century-Fox advertising and publicity.



Maurice Bergman

Bergman will succeed Arch Reeve, who resigned last week. Reeve plans to go to California, his home for many years.

No appointment of a successor to

(Continued on page 7)

ONLY COLUMBIA OPPOSES DECREE

Republicans Take Theatre for Shows

The Republican National Committee has rented the 14th St. Theatre, east of Second Ave., Manhattan, for free shows which will be given hourly from 2 to 11 P. M., beginning today until Election Day. About 100,000 tickets will be distributed in the vicinity of the theatre and the lower East Side. Between showings of a political film on Wendell Willkie, Gloria Swanson and other Republicans will speak.

Universal, U. A. Decide Not to Press Fight Against Approval

Universal and United Artists, individually, have decided not to oppose approval of the proposed consent decree by the Federal court, it was learned over the weekend. Columbia, the only other non-consenting company, is still considering the matter.

All three companies have been studying the situation for several weeks, principally because the escape clause of the decree might be interpreted as compelling them eventually to become parties to the decree against their judgment that it would affect their business adversely.

It is understood unofficially that Universal and United Artists were influenced not to oppose the decree by a study of Federal court procedure here in similar consent decree cases.

In several of these, it is said, Judge Henry W. Goddard, who will preside at the hearings on the industry decree, has accorded non-consenting litigants only the most perfunctory attention when they appeared in opposition to a decree being entered into by party defendants.

In such instances, it was said, the court's procedure has been to permit the non-consenting defendants to do no more than note their objections to the decree for the record, and excluded all formal statements which such non-

(Continued on page 7)

25 Million Have Seen 'Wind'; 35 Million Still to See It

A total of 25,000,000 persons are estimated to have seen "Gone With the Wind" at approximately 4,500 theatres in the United States and Canada. A cross-sectional poll conducted for M-G-M before the showings started last December indicated that about 57,000,000 filmgoers may want to see the picture. On this basis, it is estimated that between 32,000,000 and 35,000,000 persons may yet see the film.

Having completed its runs for this year, "Gone With the Wind" will go out on general release some time in January. The engagements heretofore have been at 75 cents and $1.10. The policy now being considered for general release is 25 cents for children and a minimum of 40 cents matinees and 55 cents night for adults.

No definite policy on sales terms has been decided.

The picture has already grossed an estimated $25,000,000 to $26,000,000 at the box-office world wide, including

(Continued on page 7)

United Artists Corporation
729 SEVENTH AVE
NEW YORK

Dear Mr. Quigley, October 17, 1940

Could I please convey to you my personal thanks for the fine coverage Motion Picture Daily gave the opening of "The Great Dictator"

It's an excellent example of journalistic enterprise and thoroughness and we, all of us at United Artists, are very pleased and grateful.

Sincerely,

Charles Chaplin

Martin Quigley, Esq.,
RKO Building,
Rockefeller Center,
New York, N.Y.

Majors Scrap Ban On 'Star' Ratings

After adhering for more than four years to an unwritten agreement not to use any critic's "star system" of rating films in the advertising of pictures playing affiliated theatres, major company advertising and publicity directors scrapped the agreement on Friday.

The action, which created a turmoil in industry advertising headquarters throughout the day, was brought to a head when Paramount's copy on "Arise My Love" in Friday morning papers made use of the four stars awarded the picture by Kate Cameron of the *Daily News*. Queried by Les-

(Continued on page 7)

Kansas Exhibitors In New Association

KANSAS CITY, Oct. 20.—Exhibitors in Kansas have formed a Kansas Independent Theatre Owners Association as an auxiliary to the Kansas-Missouri Theatres Association. The new group, which will meet Nov. 14 to make its organization permanent, is headed by H. F. Strowig, Abilene, president; Merle Swank, Stockton, vice-president; Ralph Larned, LaCrosse, secretary, and Mrs. Kate Blair, Belleville, treasurer. Directors are J. E. Pennington, Topeka; Warren Weber, St. John; Roy Culley, Medicine Lodge, and Ralph Winship, Phillipsburg.

Initiated by exhibitors in the northwestern part of the state, the new association will give showmen unable to attend Kansas-Missouri sessions, which usually are held in Kansas City, an opportunity to get together to discuss industry problems, Strowig said. Strowig, who is vice-president of the Kansas-Missouri group, added that the new association will work in cooperation with the parent group.

MPTO of Carolina Convention Dec. 1-2

CHARLOTTE, Oct. 20.—Motion Picture Theatre Owners of North and South Carolina will hold its annual meeting at the Charlotte Hotel here Dec. 1 and 2, it is announced by Mrs. Walter Griffith, secretary.

Personal Mention

ROY DISNEY and WILLIAM GERITY, Disney studio technician, are expected here this week from the Coast to complete arrangements for the "Fantasia" opening, Nov. 13, at the Broadway.

•

LOU WEINBERG, Columbia circuit sales manager, goes to Cincinnati on business today after attending the Variety Club weekend celebration in Pittsburgh.

•

DR. EMANUEL STERN, medical director at the Paramount home office, and MRS. STERN sailed Saturday on the *America* for a 12-day West Indies cruise.

•

HARRY M. KALMINE, Warner theatres' zone manager in Pittsburgh, is in town.

•

HUNT STROMBERG, M-G-M producer, is visiting here from the Coast.

•

PEGGY MAHONEY of the Paramount Theatre publicity department returns today from a week's vacation.

•

MOE LEFTOFF of Metropolitan Photo Service, who was married recently, was host at a housewarming in Brooklyn over the weekend.

•

LESTER POLLOCK, JAY GOLDEN and WILLIAM CADORET, Rochester downtown theatre managers, will be guests at a Democratic dinner Wednesday.

HARRY TAKIFF, assistant to JACK COHN, Columbia vice-president, left by plane over the weekend for a vacation of several weeks in Hollywood.

•

WILLIAM F. RODGERS, general sales manager of M-G-M, is due on the Coast today, for a series of conferences at the studio.

•

CHARLES P. SKOURAS and OSCAR OLDKNOW, Fox West Coast officials, have been visiting in Seattle.

•

ROBERT MONTGOMERY and MRS. MONTGOMERY arrived yesterday from the Coast by plane.

•

MR. AND MRS. IRVING LINCER sailed Saturday on the *America* for a cruise to Puerto Rico and Cuba, in celebration of their 35th wedding anniversary. He is transportation manager for 20th Century-Fox.

•

CHARLES VIDOR, director, arrived from the Coast by plane Saturday.

•

WILLIAM CANELLI, RKO salesman in New Haven, is confined to his home with the grippe.

•

ANDREW ANDERSON, formerly RKO head booker in Seattle, has been appointed Universal head booker in Portland, succeeding JOHN HARVEY, who is taking over a theatre in Oregon.

Pinanski Reelected By Allied of Mass.

BOSTON, Oct. 20.—Officers of Allied Theatres of Massachusetts here have been reelected for the fifth consecutive term by unanimous vote. They are: Sam Pinanski, president; John H. Devlin, vice-president; Stanley Sumner, treasurer, and Joseph H. Brennan, secretary.

Reelected directors are: M. J. Mullin, E. A. Cuddy, Charles E. Kurtzman, Howard C. Burkhardt, Harry McDonald, Benjamin Domingo, Max Mellincoff, B. E. Hoffman, John J. Ford, John S. Giles, James H. Doyle, Walter A. Brown, Al Somerby. The executive board consists of: Pinanski, Devlin, McDonald, Mullin, Mellincoff, Ford, Sumner, Kurtzman and Brennan.

Associates, Harris Will Talk Affiliation

Jack Ellis, president, and several directors of Motion Picture Associates, will meet here Wednesday with John Harris of Pittsburgh, national Variety Club head, to discuss possible affiliation of the local group with the national Variety Clubs.

The decision to meet with Harris was taken at a membership meeting at Toots Shor's restaurant on Friday. Plans for the dinner-dance at the Astor Nov. 20 were discussed.

Katzman Burial Here

HOLLYWOOD, Oct. 20.—The body of Abraham Katzman, 72, father of Sam Katzman, Monogram producer, will be sent to New York for burial. He died Thursday morning at St. Vincent's Hospital following a stroke.

$15,000 Exhibitor Contest on 'Men'

RKO and the Borden Co. are sponsoring jointly a $15,000 exploitation contest for exhibitors in the United States and Canada on "Little Men," Towne-Baker production for RKO release, which features "Elsie," the Borden cow.

The contest will open with the release of the film on Nov. 1, and continue through Feb. 15, 1941. The prizes will be divided into 369 cash awards in various classifications of theatres. Comprehensive advertising, exploitation and publicity campaigns including a tieup with "Elsie" will be the basis upon which the awards will be made. S. Barret McCormick, director of advertising and publicity for RKO, is chairman of the contest.

Members of the award board of judges are: Gene Towne, producer of "Little Men"; A. W. Ramsdell, vice-president of Borden; George J. Schaefer, president of RKO; Ned E. Depinet, vice-president of RKO; Arthur Andrews, vice-president of Young & Rubicam, Inc.; Martin Quigley, president of Quigley Publications; A-Mike Vogel, chairman, Managers' Round Table, *Motion Picture Herald.*

Sam Shain, editor, MOTION PICTURE DAILY; John V. Alicoate, publisher, *Film Daily;* Donald M. Mersereau, general manager, *Film Daily;* Ben Shlyen, publisher, *Boxoffice;* Maurice Kann, editor, *Boxoffice;* Abel Green, editor, *Variety;* Charles Lewis, editor and publisher, *Showmen's Trade Review;* Jay W. Emanuel, editor and publisher, the *Exhibitor;* Ray Lewis, publisher and editor, *Canadian Motion Picture Digest.*

Jackson President Of Club in Columbus

COLUMBUS, Oct. 20.—New officers of the local Variety Club organization include: Virgil A. Jackson, president; Harrold C. Eckert, first vice-president; Leo Yassenoff, second vice-president; J. F. Luft, treasurer, and P. J. Wood, secretary.

Jackson and C. Harry Schreiber were named delegates to the national convention; Thomas E. Jones and William S. Cunningham were elected alternates to the convention, and W. C. Pullin was elected national canvasman.



"SOUNDS LIKE SENSE, DOESN'T IT?"

There are two ways of using machinery. One is: hope to high heaven nothing goes wrong—and when it *does*—run a high blood pressure getting it fixed. The other way: let experts keep it in top-hole condition *all* of the time. That's what smart showmen do about projection room equipment. They protect themselves, *all of the time,* with an Altec sound service agreement *and* an Altec booth parts agreement. Sounds like sense, doesn't it? Change to Altec today!

ALTEC SERVICE CORPORATION

250 West 57th Street • New York City

CHANGE TO ALTEC • A CHANGE FOR THE BETTER

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1. Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame.

Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

TOLD THAT ROCKNE' LINE WITH THE ROBINSON THRILLER

DISPATCH FROM REUTERS



Who is he?

Where does he get his information?

How did he shape a nation's future?

from WARNERS

KENNY BAKER FRANCES LANGFORD HU

HIT PAR

A REPUBL



PATSY KE
STERLING HOLLO
BARNETT PARKER · FRAN

BORRAH

AND HIS HA

AND A BRILLIANT CAST O

HERBERT MARY BOLAND ANN MILLER

ADE of 1941

PICTURE



EL SILVERS
ONALD MACBRIDE
GBORN • SIX HITS AND A MISS
NEVITCH
ICA RASCALS
HN H. AUER—DIRECTOR

SCREEN AND RADIO STARS

HURRY—HURRY—HURRY!!!

Step Right Up,
You Picture Pioneers,

For the Greatest Event of 'Em All—

PICTURE PIONEERS CIRCUS NIGHT
AT THE ASTOR

There won't be any

TERRIFYING TWO-HEADED ELEPHANTS
BRAVE, BOLD BAREBACK RIDERS
AMAZING, ATTENTION-ARRESTING AERIALISTS
CURIOUS AND CRAZY CLOWNS
FURIOUS AND FEROCIOUS FLEAS

BUT

You will spend an evening of Hellarious and Continuous Festivity surrounded by the Greatest Company of Good Fellows ever assembled at one time.

NORTH BALL ROOM HOTEL ASTOR — **Sideshow Opens At 7 P. M.** — **THURSDAY EVENING Oct. 24th**

Get Your Reservations in NOW!

PICTURE PIONEERS, Inc. **New York City** — **729 SEVENTH AVENUE** **Room 604**

Feature Reviews

"Triple Justice"

(RKO)

Although this is Western fare with the essential ingredient, action, in abundance, the deft direction of the action sequences and the unique development of suspense seems to lift the appeal of the film beyond that of the usual Western.

George O'Brien is excellent in the lead and good support is given by Virginia Vale, Harry Woods, Paul Fix and many others. The story, too, is better than routine, but the outstanding factor is the direction of David Howard. Bert Gilroy produced.

The plot has O'Brien arriving in town to attend the wedding of a friend. Simultaneously a bank is robbed and he is suspected. O'Brien then tracks down the thieves and exposes their accomplice, the sheriff's deputy.

Running time, 66 minutes. "G."*

"The Ape"

(Monogram)

HOLLYWOOD, Oct. 20.—Adapted from the successful stage play of the same name by Adam Hull Shirk, "The Ape" is a pseudo-scientific horror story which uses as its plot the insane machinations of a country doctor who kills two persons to steal their spinal fluids for use in a serum to cure a paralyzed girl. The doctor slays an escaped circus ape, and uses his skin as a disguise for his nocturnal murder outings.

Boris Karloff has the principal role as the physician, with support by Maris Wrixon, Gertrude Hoffmann, Henry Hall, Gene O'Donnell, Jack Kennedy, Dorothy Vaughan, Jessie Arnold, Selmer Jackson, George Cleveland.

William Nigh directed from a screenplay by Richard Carroll and Kurt Siodmak. William Lackey was Scott R. Dunlap's associate producer.

Running time, 62 minutes "G."* VANCE KING

**"G" denotes general audience classification.*

'Rockne' Captures $11,000, Milwaukee

MILWAUKEE, Oct. 20.—"Knute Rockne—All American" took $11,000 at the Warner. Laurel and Hardy on the stage of the Riverside with "Diamond Frontier" connected for $18,000. "Down Argentine Way" and "Yesterday's Heroes," playing Fox's Palace and Wisconsin simultaneously, did better than average at both houses.

Estimated takings for the week ending Oct. 17:

"Down Argentine Way" (20th-Fox)
"Yesterday's Heroes" (20th-Fox)
PALACE—(2,400) (30c-40c-55c) 7 days. Gross: $6,500. (Average, $4,500)
"Diamond Frontier" (Univ.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Laurel and Hardy. Gross: $18,000. (Average, $6,500)
"Strike Up the Band" (M-G-M)
"Sky Murder" (M-G-M)
STRAND—(1,400) (30c-40c-55c) 7 days. Gross: $1,500. (Average, $1,500)
"Knute Rockne—All American" (W. B.)
"Calling All Husbands" (W. B.)
WARNER—(2,400) (30c-40c-55c) 9 days. Gross: $11,000. (Average, $4,500)
"Down Argentine Way" (20th-Fox)
"Yesterday's Heroes" (20th-Fox)
WISCONSIN—(3,200) (30c-40c-55c) 7 days. Gross: $8,000. (Average, $5,500)

Set Opposition Slate

PHILADELPHIA, Oct. 20.—Charles McConnell, music contractor for many years for Warners' Earle, has been slated for president on an opposition ticket in the local musicians' union election in December. The incumbent administration, headed by Frank P. Liuzzi, president, and A. Rex Riccardi, secretary, which waged an 11-month strike against the Warner theatres here, will seek reelection.

'Argentine' Takes $9,500 in Baltimore

BALTIMORE, Oct. 20.—"Down Argentine Way" took $9,500 at the New. "The Howards of Virginia" took $14,000 at the Hippodrome.

Estimated takings for the week ending Oct. 17:

"Strike Up the Band" (M-G-M)
CENTURY—(3,000) (15c-28c-44c) 7 days, 2nd week. Gross: $9,500. (Average, $10,000)
"Argentine Nights" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $8,000. (Average, $9,000)
"Down Argentine Way" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $9,500. (Average, $7,000)
"City for Conquest" (W. B.)
STANLEY — (3,280) (15c-28c-39c-44c-55c) 7 days, 2nd week. Gross: $7,000. (Average, $12,000)
"Howards of Virginia" (Col.)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. With vaudeville including Ben Yost's New Yorkers and Johnny Burke. Gross: $14,000. (Average, $14,000)

Managers in Phila. Aloof in Union Fight

PHILADELPHIA, Oct. 20.—The Entertainment Managers Association, comprising the licensed bookers and agents, at an election meeting went on record as adopting a disinterested attitude with respect to lending support either to A. G. V. A., in the throes of reorganization, or United Entertainers Association, independent actors union being reorganized by Tom Kelly, ousted local A. G. V. A. secretary.

All the incumbent officers were reelected for a second year: Jack Maser, president; Roy Cross, vice-president; James Smith, treasurer; Madeline Wood, secretary. The board of directors was also reelected.

Only Columbia Still Opposes U. S. Decree

(Continued from page 1)

consenting defendants may have desired to make in court.

The same procedure is said to be closely followed by other Federal judges. As a result, officials of Universal and United Artists now believe that opposition is useless in view of their uncertain standing in court.

The five consenting companies expect the consent decree to be presented to Federal Judge Henry W. Goddard for approval on Oct. 31 or Nov. 1.

An adjournment to either of those dates may be taken tomorrow at the scheduled hearing before Judge Goddard, or, if a shorter adjournment is taken, a second will be necessary, it was said.

Draft to Washington

Preliminary work on the arbitration mechanics which supplement the decree was completed on Friday and the proposals were taken to Washington by Assistant U. S. Attorneys General James Hayes and Robert Wright for study by Department of Justice officials.

Another meeting on the arbitration proposals is scheduled for this afternoon, when Hayes and Wright are scheduled to return from Washington with any final suggestions for changes which the Department may desire. The proposals then will undergo a "polishing" to complete the phraseology.

The decree itself is reported to be in final form. However, Government reluctance to grant all of the revisions in the Fox West Coast consent decree asked by 20th Century-Fox in connection with the approval of the New York decree, is known to be delaying preliminary approval of the latter decree by that company. It is believed, however, that the differences between 20th Century-Fox and the Government will be resolved in time to present the document to Judge Goddard by the end of next week.

Tacoma Welcomes 'Tugboat Annie' Film

TACOMA, Wash., Oct. 20.—"Tugboat Annie Sails Again," Warner film starring Marjorie Rambeau and Alan Hale, was given a noisy welcome here on Friday, prior to its world premiere at three theatres, the Music Box, Roxy and Blue Mouse.

The two stars headed a group of Hollywood players, including Donald Crisp and Ronald Reagan, who made personal appearances at the three Hamrick houses. The guests arrived at the Tacoma Yacht Club on a yacht, appeared on the Hedda Hopper radio program, and then boarded the official tug for a harbor parade, accompanied by a flotilla of fishing schooners, tugs and other craft. Mayor Harry P. Cain proclaimed the day "Tugboat Annie Day."

On Saturday a special show was held at the Roxy for 1,700 underprivileged children, at which the stars appeared.

25 Million Have Seen 'Wind'; 35 Million to See It

(Continued from page 1)

a gross in the United States and Canada of $22,000,000. On the basis of 70 per cent of the box-office "take" to M-G-M, the domestic rental to the company totals more than $15,000,000, with the world distribution gross about $18,000,000.

M-G-M plans to include the 4,500 theatres which have already played the picture in the general release, and with these return engagements it is figured that at least 12,000 theatres will play the film next year, with the box-office gross estimated at $6,000,000 to $7,000,000. This would bring the domestic gross to about $29,000,000.

Para. May Fight Ban On 'World in Flames'

(Continued from page 1)

the Navy Frank Knox, Senator Alben W. Barkley, Speaker Sam Rayburn and Secretary of Commerce Jesse Jones.

Agnew said that Paramount will carry the case "to the highest courts in the country, if necessary."

The picture consists for the most part of newsreel records of the past 20 years, pointed to show a need for national preparedness. It is in a comparable film category with March of Time's "The Ramparts We Watch," which likewise was banned for exhibition in Pennsylvania by the same censor board a few weeks ago.

McCarthy Appoints Bergman as Ad Head

(Continued from page 1)

Bergman at Columbia has as yet been made.

Bergman became head of the advertising and publicity department of Columbia Pictures about three years ago. A native of Chillicothe, Ohio, he was educated at Ohio State University and Cincinnati Law School, where he received his degree. He was advertising director of the Brooklyn Paramount Theatre and the Paramount on Broadway and account executive of Lord & Thomas advertising agency before joining Columbia.

Producers Receive Demands of Artists

HOLLYWOOD, Oct. 20.—The Moving Picture Painters Local 644, having been named by the National Labor Relations Board as the bargaining agency for studio scenic artists, on Friday presented to producers demands for a closed shop agreement, minimum wage scales and other conditions.

The proposed pact seeks a retroactive 15 per cent wage increase from July, 1937, to August, 1939, with an added 15 per cent increase from August, 1939, to the present.

Major Companies Scrap Ban On 'Star' Rating Publicity

(Continued from page 1)

ter Thompson, head of the M.P.P D.A.'s Advertising Advisory Council, Robert Gillham, Paramount advertising and publicity director, pointed out that the Rivoli's advertisements on the Wanger film, "The Long Voyage Home" had been prominently displaying for several days the four stars awarded that picture by the same reviewer.

Lynn Farnol, advertising and publicity director of United Artists, distributor of the Wanger production, was called next for an explanation. Farnol denied control over or responsibility for the Rivoli's ad copy, contending that it was prepared independently by the theatre management.

With this impasse apparently reached, Howard Dietz, M-G-M advertising and publicity director, declared that Metro would resume the use of the star awards immediately if the practice was not ended by the Rivoli and Paramount at once. S. Charles Einfeld of Warners, Charles E. McCarthy of 20th Century-Fox, Lou Pollock of Universal, Maurice Bergman of Columbia and S. Barret McCormick of RKO are reported to have taken the same stand as Dietz.

The "gentlemen's agreement" not to make use of the star awards in advertising grew out of the advertising directors' conviction that the merit symbols for picture reviews should be discouraged because they were frequently found to be unfair to individual pictures. It was contended, too, that they tended to place too much power over patronage with individual reviewers and that they encouraged readers to look only for the stars and to omit a reading of the reviews which frequently qualified, one way or the other, the appraisals of pictures exemplified by the symbols.

20th-Fox Signs Oakie

HOLLYWOOD, Oct. 20.—Jack Oakie has been signed to a three-picture contract by 20th Century-Fox.

Assign Brenda Marshall

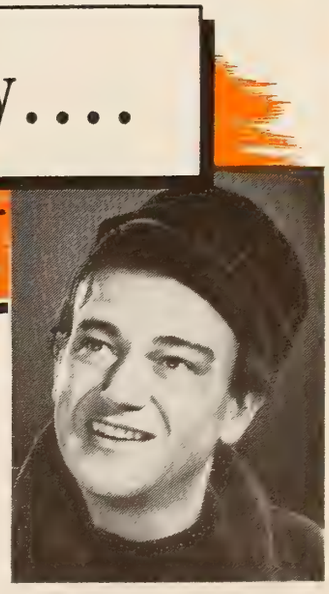
HOLLYWOOD, Oct. 20.—Brenda Marshall has been cast for the leading feminine role in "Footsteps in the Dark."

Sues on Valentino Films

Suit for $20,000 allegedly due on the distribution of the Rudolf Valentino films, "Son of the Sheik" and "The Eagle," has been filed in the N. Y. Supreme Court by Jean Guglielmo, also called Jean Valentino, against Artcinema Associates, Inc., and Emil C. Jensen.

This is Oley....





...with the body of a giant and the heart of a small boy, yearning for his mother.

OLEY, played by John Wayne, is one of the unforgettable characters in JOHN FORD'S "THE LONG VOYAGE HOME" which Critic Pare Lorentz tells the millions of women who read McCall's Magazine, is "unquestionably one of the greatest motion pictures of all times!"

Short Subject Reviews

"Eyes of the Navy"

(M-G-M)

Timed for release when the nation's interest in the armed forces is at a peak, "Eyes of the Navy" is a highly interesting exposition of the training program instituted by the U. S. Navy to train pilots for the aerial wing of the seagoing forces. Filmed with the cooperation of the Navy, most of the footage was taken at the training bases at Pensacola and San Diego and there are additional shots of action at sea.

The reel shows a farmer's son enlisting for the training and follows him until he wins his wings. Its entire tone is factual and there is no flag waving or exhortation. Striking scenes include target practice, dive bombing, catapult takeoffs, landings on board an airplane carrier and a final shot of planes flying in formation to spell out U.S.A. Running time, 20 mins.

"The Sporting Everglades"

(Paramount)

The Everglades in Florida provide a number of interesting and exciting sequences in a splendid Grantland Rice Sportlight short. Crisp narration by Ted Husing accompanies the tour, which depicts wild life, Indian life and the excellent fishing therein. Running time, 10 mins.

"King for a Day"

(Paramount)

A Max Fleischer series, featuring Gabby of "Gulliver's Travels" fame, is launched with an amusing cartoon. King Little, upon receiving a threatening letter, offers his crown to Gabby. Appearing on the scene at that point is another character thought to be an assassin, but who is really a photographer. The short is clever. Running time, 7 mins.

"Listen to Larry"

(Paramount)

Larry Clinton and a versatile orchestra perform for this Headliner subject. The music is from one extreme to another, a Stephen Foster melody in contrast with some swing numbers and an amusing rendition of "Well All Right." Clinton's arrangement of "Study in Surrealism" is tops in swing. The short is highly entertaining. Running time, 10 mins.

WPEN Dedicates Studios Wednesday

PHILADELPHIA, Oct. 20.—WPEN will dedicate its new studios on the 21st and 22nd floors of the 1528 Walnut Street Building next Wednesday. Herb Moore, president of Transradio Press, will highlight the opening service for the station. Arthur Simon, the station's general manager, will read messages from President Roosevelt and several South American ambassadors during the dedicatory program at 9 p.m.

Off the Antenna

JACK BANNER, formerly of MOTION PICTURE DAILY, was named publicity and special events director of WNEW over the weekend. He will take over active charge Wednesday, succeeding Richard K. Bard. The latter, an Army reserve officer, has been ordered to report for active duty at Camp Dix, N. J.

• • •

Purely Personal: *Sterling Fisher, CBS director of education, will be one of the principal speakers at the 94th annual convention of Connecticut teachers Thursday. . . . Gerald A. Vernon has been transferred from the New York office of NBC sales promotion department to Chicago. . . . James V. McConnell, NBC manager of spot and local sales, leaves for a month's trip around the country today. . . . David Lowe, WNEW film commentator, left over the weekend for a belated one-week honeymoon. . . . James MacCafferty, WMCA operations supervisor, returned from his honeymoon at Lake George Friday*

• • •

WABC, starting this morning, will open at 6:15 instead of 6:25. The additional 10-minute period will be used for a summary of the station's programs for the day and a brief news period.

• • •

The annual meeting of the National Independent Broadcasters gets under way today at the Waldorf-Astoria. As has been usual in broadcasters' meetings in recent months, the Ascap-BMI situation will occupy a large part of the deliberations. Other issues which will come up for discussion are labor matters, cooperation with the National defense program, and the radio monopoly report. Joseph DeLucca will entertain the delegates with the WHOM station orchestra.

• • •

Program News: *Mutual will give Raymond Scott a full hour, from 12:30-1:30 A.M. weekly, beginning tonight, for an audience participation musical show from the Black Hawk Cafe, Chicago. . . . The Moylan Sisters aged six and eight years, celebrated their first anniversary on their own program over NBC-Blue yesterday. . . . "Information Please" will have a CBS board member on its program tomorrow evening in the form of Herbert Bayard Swope.*

• • •

Effective Nov. 15, the network rate for KFBK, Sacramento; KWG, Stockton; KERN, Bakersfield, and KOH, Reno, all NBC-Red, will be $220 per evening hour for the four stations combined. The rate will go to $240 on Nov. 15, 1941, and to $260 the following year.

SMPE Opens Annual Fall Convention on Coast Today

HOLLYWOOD, Oct. 20.—The Society of Motion Picture Engineers will open its annual Fall convention at the Hollywood Roosevelt Hotel here tomorrow.

The five-day meeting, attended by technical experts from all parts of the country, will include the presentation of papers on filming, recording and reproducing problems and related subjects, such as television.

The 1940 S.M.P.E. Progress Medal and the Journal Award will be presented at the 47th semi-annual banquet on Wednesday evening. The medal is given for the year's outstanding contribution to motion picture technology, and the award is for the best paper published in the S.M.P.E. *Journal* during the year.

Officers will be elected as the first order of business tomorrow. At an informal luncheon tomorrow, Frank Capra, director, as an official representative of the Academy of Motion Picture Arts and Sciences, will address the delegates. Mary Martin will sing.

At 11 technical sessions during the convention, nearly 50 papers by technical experts of the industry's laboratories, studios and equipment manufacturers will be read. Two sessions will be given over to sound, one to sound recording, one to disc recording, two to laboratory subjects, one to television and four to general subjects.

A number of other activities are planned, including a visit to the 20th Century-Fox studio Tuesday afternoon and to another studio later in the week. Wednesday afternoon will be devoted to sightseeing. The convention will conclude with the television session on Friday evening.

The terms of the following officers will expire on Dec. 31: E. A. Willifford, president; Nathan Levinson, executive vice-president; J. I. Crabtree, editorial vice-president; W. C. Kunzmann, convention vice-president; J. Frank, secretary, and R. O. Strock, treasurer. With the exception of the secretary and treasurer, who serve one-year terms, all the officers have served for two years.

Fight Sunday Films

HATTIESBURG, Miss., Oct. 20.—Baptist and Methodist ministers of Hattiesburg and vicinity have entered the fight against Sunday shows here. The four local theatres are seeking a test of the issue.

Halliday to Agency

HOLLYWOOD, Oct. 20.—Richard Halliday, who resigned recently as Paramount story editor, has joined the Frank W. Vincent talent agency to handle the story and writer departments.

Theatre Changes

Shift Commonwealth Men

KANSAS CITY, Oct. 20.—C. A. Schultz, head of Commonwealth Theatres, has made several shifts in managements. The shifts move Jack Kempton, Royal, Hoisington, to the Granada, Lawrence; Ray Holmes, Granada, to the Kansan, Great Bend; Elton Kurlman, Kansan, to the Sherman, Goodland, and John Tarr, Jr., Sherman, to the Royal, Hoisington.

Opens Cincinnati Suburban

CINCINNATI, Oct. 20.—Maurice A. Chase has opened the 400-seat Vogue in suburban Hartwell. Chase, who formerely conducted an independent exchange here, also operates the suburban Woodlawn and Crescent.

Sells Wisconsin House

FENNIMORE, Wis., Oct. 20.—E. H. Brechler has disposed of the Fenway here to Eskin Theatres, Inc. A. O. Wirth will manage the house, which will be renovated by the new operators.

To Renovate Texas Theatre

BEAUMONT, Tex., Oct. 20.—The Peoples, one of the oldest picture houses in Texas, will be renovated. The theatre is owned by the Jefferson Amusement Co. A. R. Swabke is manager.

Plans Louisiana House

LAKE CHARLES, La., Oct. 20.—S. M. DeBakey has completed plans for construction of a new 2,000-seat theatre and store building here.

Joins Rochester House Staff

ROCHESTER, Oct. 20.—Jack Danks, formerly with Warners in Elmira, is new assistant manager of the Riviera here.

Remodels Iowa Theatre

DAVENPORT, Ia., Oct. 20.—Julius Geertz has completely remodeled the Zenith Theatre here.

Ascap Will Sponsor Festival at Fair

Ascap will sponsor a music festival, "Cavalcade of American Music," at the World's Fair on Thursday, it was announced over the weekend by Gene Buck, president. A concert will be given in the afternoon and another in the evening. In addition to leading composers, orchestras and conductors in the East, a number of Hollywood music directors, composers and singers will appear. World's Fair officials said no plans for broadcasts have as yet been made. A similar festival was held at the San Francisco Fair.

Seek Third Loop House for 'Police'

CHICAGO, Oct. 20.—With all seats for the American premiere here of "North West Mounted Police" sold out at both the Chicago and State-Lake theatres, B. & K. is endeavoring to obtain a third Loop house to meet the demand for tickets. The premiere will be held here Thursday. World premiere of the picture will be held in four Regina Saskatchewan, theatres tomorrow night.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 80 NEW YORK, U.S.A., TUESDAY, OCTOBER 22, 1940 TEN CENTS

FILE COPY DO NOT REMOVE

'Dictator' Rules Broadway With $119,000 Take

Weekend Business Again Proves Strong

Smash grosses were recorded along Broadway during the past weekend as near-freezing weather failed to halt the influx of huge crowds to the city. For the second week in succession, Saturday and Sunday were banner days for all forms of amusement and entertainment in the city.

Almost 350,000 attended the World's Fair on Sunday. Sporting events, the rodeo and legitimate stage productions did a thriving business.

Theatre men were cheered by the prospect of another big weekend this week as Mayor LaGuardia declared an official half-holiday for Friday. Although the Mayor's proclamation is designed to permit city employes to visit the Fair in its closing days, many of the employes are expected to take advantage of the holiday to go to theatres and many private firms are also expected to close, as the Mayor urged.

(*Continued on page 4*)

M. A. Shea, Circuit Head, Dead at 60

Maurice A. Shea, founder and head of the Feiber & Shea Circuit, who died at New York Medical Center on Saturday, was buried yesterday at Gate of Heaven Cemetery, White Plains. He was 60 years old.

Due to a long illness which preceded his death, Shea had been inactive in the circuit's operations for more than a year. Active operations have been in charge of E. C. Grainger. Shea is survived by his wife, Margaret L. Shea; a daughter, Mrs. Joseph Tuckerman, and three sons, Thomas, a lawyer with O'Brien, Driscoll & Raftery; Maurice, Jr., and William, both with Feiber & Shea.

Loew's Closes for 'The Great Dictator'

The Loew circuit yesterday signed with United Artists to play "The Great Dictator" over the circuit.

Clayton E. Bond, film buyer for Warner theatres, said yesterday that the deal he closed last week on the picture is only for the Aldine, Philadelphia, and the Warner, Pittsburgh.

Exhibitors Must Make Up Losses Overseas: Cole

PITTSBURGH, Oct. 21.—The industry's loss of foreign revenue must be made up primarily by exhibitors, not producers, "because we are the fountainhead," today declared Col. H. A. Cole, president of national Allied, at the opening session of Western Pennsylvania Allied's annual convention at the Roosevelt Hotel here.



H. A. Cole

Cole voiced objections to distributors' efforts to recuperate the foreign losses by "suggesting" in-

(*Continued on page 4*)

E. A. Huse Elected President of SMPE

HOLLYWOOD, Oct. 21.—Emery A. Huse, West Coast manager of the film department of Eastman Kodak, was elected president of the Society of Motion Picture Engineers at the opening session of the 47th semi-annual convention of the organization at the

(*Continued on page 4*)

LAWYERS TO ASK DECREE DELAY

Kuykendall Hits Allied

Ed Kuykendall, M.P.T.O.A. president, in a statement released here yesterday, declined to answer recent queries put by Abram F. Myers, Allied States chairman and general counsel, as to the M.P.T.O.A. head's complete objections to the proposed consent decree.



Ed Kuykendall

Reasons given by Kuykendall for his refusal were that the M. P. T. O. A.'s stand on the decree has been set forth in detail in organization bulletins which were released to the press and also in formal statements presented to the Department of Justice, which, Kuykendall remarks, he regards as the "proper authority" to which to state his objections.

"Mr. Myers knows full well how

(*Continued on page 4*)

Officials Settle B. & K. And Fox-West Coast Contempt Angles

Adjournment will be sought today on the consent decree proceedings which are up before Federal Judge Henry W. Goddard, because there are still certain minor points to be cleared up among the negotiators. A delay of more than a week will be asked by Government attorneys, officials stated late last night, after a lengthy session of the negotiators. Yesterday's meeting broke up at midnight.

Final points in connection with the dropping by the Government of the Fox-West Coast and Balaban & Katz contempt cases were ironed out last night, in accordance with expectations, officials stated.

Merely the acceptance by individual defendants in the Chicago contempt case of the agreement which has been negotiated by Paramount attorneys and the Government remains. Paramount executives indicated last night that such acceptance is a mere formality.

It was agreed that the "rule of five" by which independent circuits of five or more are not permitted to bring clearance arbitration cases, under the New York decree, will not apply to the Fox-West Coast and Balaban & Katz territories.

Otherwise, only minor matters of arbitration remain to be settled in regard to the decree.

Schless Named W.B. Foreign Manager

Robert E. Schless, Warners European manager, yesterday was appointed head of the company's foreign distribution by Harry M. Warner, president. Joseph S. Hummel, who has been general foreign sales manager, will be assistant to Schless.

Schless formerly was in charge of the Continent with headquarters in Paris, and when First National and Warners consolidated its forces in England, took over that country as well. He has been in New York about two months.

"North West Mounted Police"

[DeMille-Paramount]

BUILT along the heroic lines which characterize all production efforts of Cecil B. DeMille, his "North West Mounted Police" is tops in entertainment for any type of audience. It is of the stuff which makes sparkling marquee name lines and gives every evidence of sparkling ledger figures from the box-office of any theatre.

The hand of DeMille, who was his own producer and director, is evident throughout the picture, in its magnificent color backgrounds of the Canadian woods, the handling with expert technique of large groups of people, its stirring and dynamic battle scenes.

There are romance and comedy, and the courage of men acting against great odds in the performance of their duty, interwoven into a story which serves to typify and personalize that almost legendary group, Canada's famous North West Mounted Police. Alan Le May, Jesse Lasky, Jr., and C. Gardner Sullivan collaborated in an original screenplay which has as its basic ingredient action, and more action. Vic-

(*Continued on page 4*)

OTHER REVIEWS: "Tugboat Annie Sails Again," "The Old Swimmin' Hole"—See Page 5.

British Plan Shift in Army Entertainment

LONDON, Oct. 21.—The British Army Council is contemplating a complete change in the arrangements for the film entertainment of troops, and is seeking the cooperation of distributors and exhibitors.

The new plan presumably would transfer the entire operation to a military body instead of the present arrangement. The Navy, Army and Air Force Institute will be presented to the trade tomorrow at a luncheon at the Dorchester Hotel, with the Duke of Gloucester presiding.

The Cinematograph Exhibitors Association and the Kinematograph Renters Society (distributors) met today. While no official statement was issued, it is understood the groups will express satisfaction with the present arrangement. The distributors are willing to aid the armed forces with film supplies, but join the C. E. A. in an unwillingness to do anything to aggravate an already difficult situation for the exhibitors.

An agreement already exists between the C. E. A. and the War Office that whenever possible the troops use existing film theatres, and if necessary the Army provide transportation to the theatres. The trade attitude is generally unfavorable to reopening a problem which was thought finally settled last year.

'N.W. Mounted Police' Premiere in Canada

REGINA, Saskatchewan, Oct. 21.—Cecil B. DeMille's color feature for Paramount, "North West Mounted Police," had its world premiere at the Rex, Grand and Capitol here tonight, in the city which was once headquarters for the Canadian police organization.

A Hollywood delegation included Madeleine Carroll, Robert Preston, Preston Foster and Lynne Overman, all of the cast.

Prominent officials of the Province and the North West Mounted Police attended.

Tomorrow Miss Carroll, Preston, Foster and Overman will leave Regina for Winnipeg, en route to Chicago, where they will join Cecil B. DeMille and their fellow-players, Gary Cooper and Paulette Goddard, for the American premiere of the film Thursday in Chicago.

Chaplin Lunch Host To Phila. Critics

Philadelphia newspaper film critics were guests of Charlie Chaplin at luncheon at Dinty Moore's yesterday, following which they attended the matinee performance of "The Great Dictator" at the Astor.

In the party were Laura Lee, Mrs. Lynton Martin, Harry Murdock, Dorothy Guinan and Everett Callow. The latter is advertising and publicity director for Warner Theatres in the Philadelphia zone. "The Great Dictator" will open at the Aldine, Philadelphia, tomorrow.

Chaplin recalled at the luncheon that his first motion picture offer had been received while he was appearing in "A Night in a Music Hall" at the old People's Theatre in Philadelphia in 1913. The offer, from a New York agent, was addressed to "Charles Chapliniere."

Personal Mention

MAURICE SILVERSTONE, United Artists chief executive, and CHARLES SCHWARTZ, company counsel, will leave for the Coast Oct. 31.

•

WILLIAM A. SCULLY, Universal vice-president and distribution head, returned from the Coast yesterday.

•

REGINALD ARMOUR, RKO European general manager, has sailed from Lisbon on the *Exochorda*, due here Friday.

•

HERMAN WOBBER, general manager of distribution for 20th Century-Fox, will leave for the Coast shortly.

•

MARTIN QUIGLEY, SAM RINZLER, SAM SHAIN, LOUIS NIZER, JACK CONNOLLY, TED O'SHEA, WILLIAM ORR, CHARLES STERN, OWEN DAVIS, MAX A. COHEN, MORRIS KINZLER, CHAS. E. MCCARTHY having lunch yesterday at Nick's Hunting Room in the Astor.

•

WILLIAM FERGUSON, WILLIAM A. SCULLY, LOU POLLOCK, ARTHUR LEE and JACK MILLS at the Tavern yesterday.

•

JAMES BALL, former manager of the Stanley, Camden, N. J., is the father of a daughter, born last week.

•

MERTON MASON, Paramount Philadelphia booker, has been appointed to the Villanova College publicity committee.

•

CECIL FELT, Affiliated Circuit, executive in Philadelphia, is on a West Indies cruise, accompanied by CHARLES GRAHAM, RCA engineer.

•

DON HIGGINS, March of Time publicity director, will sail Thursday for a vacation in Puerto Rico. JACK GLENN, March of Time director, has returned from Mexico City.

•

JOHN CONSIDINE, JR., M-G-M producer, is in town.

•

DOUGLAS FAIRBANKS, JR., left for the Coast by train last night.

MR. AND MRS. BARNEY BALABAN will leave for Chicago by plane tomorrow.

•

HOWARD DIETZ, M-G-M advertising and publicity director, is back from Pittsburgh where he was toastmaster at the Variety Club banquet Sunday night.

•

POSTMASTER GENERAL FRANK C. WALKER left yesterday on a week's campaign speaking tour for President Roosevelt throughout the Middle West.

•

JOHN MCMANUS, manager of Loew's Midland, Kansas City, is in Menorah Hospital there with an infected leg.

•

MORTON TILEY of the Essex Square Theatre, Essex, Conn., is ill at Lawrence Memorial Hospital, New London, Conn.

•

CHARLES M. MACDONALD, operator of the Southern, York, Pa., has returned from a honeymoon in Virginia. He was married recently to BETTY NOEL, cashier at the house.

•

ROBERT PERKINSON, manager of the Rialto, Allentown, Pa., was married recently to MIRIAM KNAUSS.

•

STANTON GRIFFIS, ARTHUR KRIM, ROBERT BENJAMIN, TOBY GRUEN, LEE SHUBERT, ROBERT WEITMAN, GUY BOLTON, MORT SPRING, WILLIAM MELNIKER and DAVE BLUM lunching yesterday at Sardi's.

•

IRVING BERLIN, HARRY COHEN, JOSEPH MOSKOWITZ, MARTIN MOSKOWITZ, J. J. MILSTEIN, LOU BRANDT and ARTHUR GOTTLIEB at Lindy's (51st St.) yesterday for lunch.

•

EMANUEL and ARTHUR SILVERSTONE, ABE MONTAGUE, MAX WEISFELDT and MAX COSMAN having lunch yesterday at Lindy's (next to the Rivoli).

•

EDGAR HANDS, owner of the Rex and Stout theatres, Minden, La., will be married to LUCILE PUGH of Shreveport next month.

•

JACK OAKIE has left for the Coast.

Bela Blau Dead

Bela Blau, 44, theatrical producer, died yesterday of a heart attack on entering the office of a physician next to his own office in the Sardi Building. On Broadway 10 years, he was with the Theatre Guild, then associated with Marc Connelly, with whom he produced "Having Wonderful Time."

Howard Kalfell Dies

ST. LOUIS, Oct. 21.—Howard T. Kalfell, 40, exhibitor here and a member of a family long identified with the theatrical industry in St. Louis, died late last week. He and a brother were joint owners of the Pauline and the Robin, neighborhood houses.

Kent Leaves Coast

HOLLYWOOD, Oct. 21.—Sidney R. Kent, president of 20th Century-Fox, left tonight for New York by train. He will make brief stopovers at Denver and Lincoln, Neb.

Services Held for Switow in Louisville

LOUISVILLE, Oct. 21.—Funeral services were held here today for Michael A. Switow, 76, president of the M. Switow & Sons circuit of Kentucky and Indiana, who died at midnight Saturday of a cerebral hemorrhage. He suffered a stroke six years ago and had been in ill health since.

Switow emigrated from Warsaw when 27 years old. Inspired by a five-cent picture show in Chicago, he purchased supplies from the late Carl Laemmle and then became an exhibitor. Three sons, Harry R., Samuel J. and Fred T. Switow, all associated in the circuit, two daughters and a widow survive.

Rothacker En Route

HOLLYWOOD, Oct. 21.—Watterson R. Rothacker, Hollywood vice-president of Quigley Publications, left tonight by train for New York.

Extend RKO Plan of Timing Main Feature

Four more RKO theatres here have adopted the policy of showing the main feature of dual programs at 9:30 P.M., following an experiment with the policy at Proctor's 86th St. The plan enables patrons who desire to see only the leading feature to arrive at a convenient hour. The second feature follows about 11 P.M. The policy has been instituted at the Columbia, Strand, Park and Marble Hill.

Will Ask Hearing On 'Flames' Pa. Ban

A request for a rehearing by the Pennsylvania censor board on its order banning Paramount's "The World in Flames" from exhibition in that state will be asked today by Earle W. Sweigert, Paramount branch manager at Philadelphia.

Under the Pennsylvania censor laws, the board is compelled to grant the rehearing. If its original order is sustained, Paramount will appeal to the state courts, home office officials said.

Paramount yesterday canceled from eight Mutual network stations in Pennsylvania a sponsored broadcast by Raymond Gram Swing and Wythe Williams scheduled for Thursday on behalf of the film.

Tucker, Richman, Lewis to Play State

Sophie Tucker, Harry Richman and Joe Lewis will appear in person at Loew's State on Broadway, starting Oct. 31. The trio recently completed an engagement at Ben Marden's Riviera.

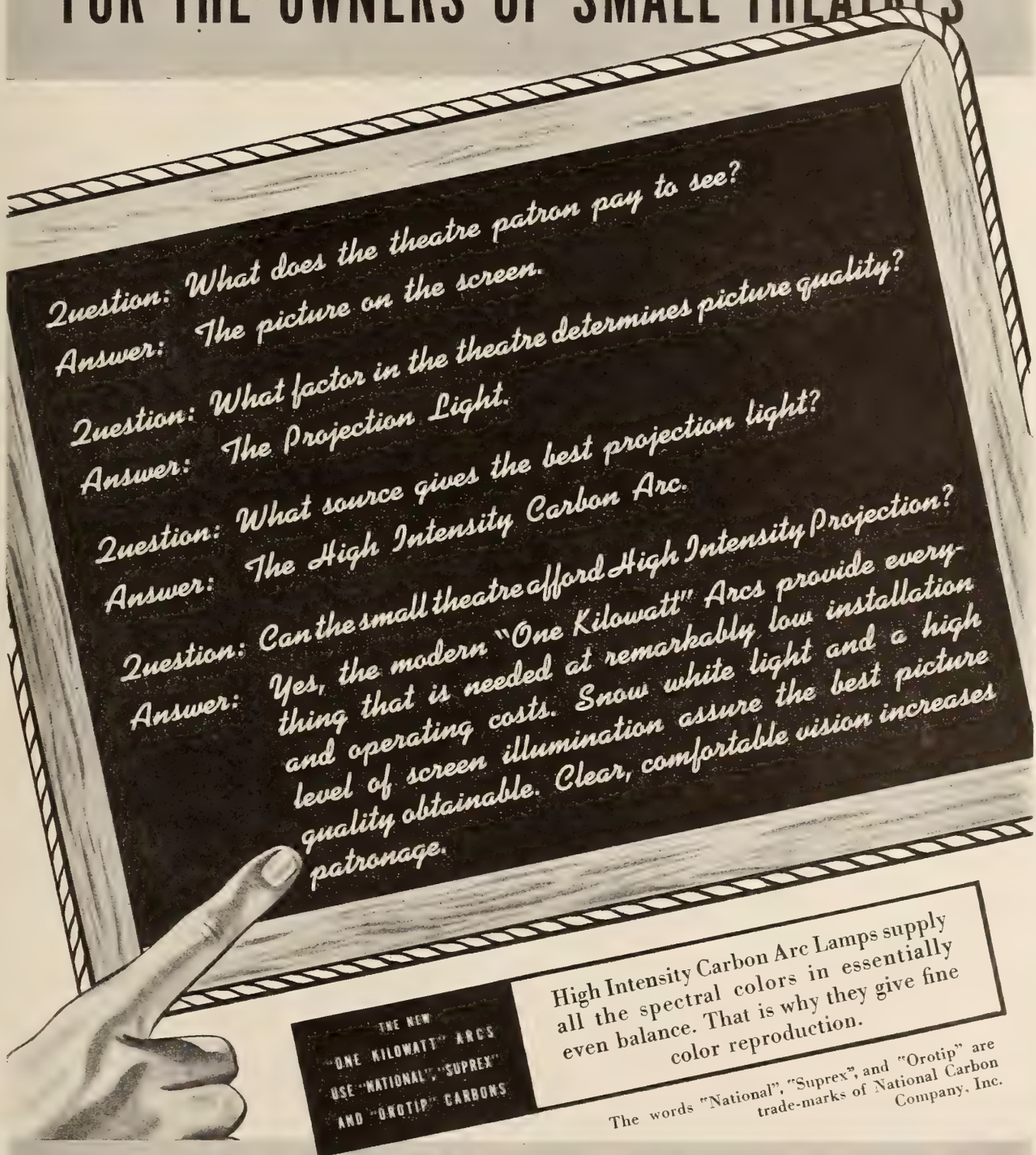
Louella Parsons and a group of film players start a week at the State on Thursday. Miss Parsons and her company, including Brenda Joyce, Ilona Massey, Binnie Barnes, Robert Stack, Bill Orr and Mike Frankovitch, arrive from the Coast today and will go to Hartford for a two-day engagement.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1. Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

A LESSON IN *Business Philosophy* FOR THE OWNERS OF SMALL THEATRES



High Intensity Carbon Arc Lamps supply all the spectral colors in essentially even balance. That is why they give fine color reproduction.

The words "National", "Suprex", and "Orotip" are trade-marks of National Carbon Company, Inc.

NATIONAL CARBON COMPANY, INC.

Unit of Union Carbide and Carbon Corporation

UCC

Carbon Sales Division, Cleveland, Ohio

GENERAL OFFICES

30 East 42nd Street, New York, N. Y.

BRANCH SALES OFFICES

New York, Pittsburgh, Chicago, St. Louis, San Francisco

'Dictator' Rules Broadway With $119,000 Take

(Continued from page 1)

Charlie Chaplin ruled Broadway for the past week with "The Great Dictator" at absolute capacity at the Astor and at near capacity for every show at the Capitol. The first week which ends tonight should gross an estimated $98,000 at the latter house and $21,000 at the former for an estimated total of $119,000. This figure does not include the estimated gross of $8,000 for opening night at both houses.

"Arise My Love" at the Paramount, "Knute Rockne—All American" at the Strand and "Down Argentine Way" at the Roxy also established themselves as big draws.

"Arise My Love" with Tommy Reynolds' band equalled a three-year mark at the Paramount when it drew an estimated $36,000 for Friday, Saturday and Sunday and should bring an estimated $65,000 for the first week which ends tonight. "Knute Rockne—All America" with Woody Herman's band on the stage grossed an estimated $28,500 for the first three days at the Strand while "Down Argentine Way" with a stage show at the Roxy was good for an estimated $37,500 for the first four days. All will be held over for second weeks.

Holdovers were also strong. "They Knew What They Wanted" with stage show at the Music Hall grossed an estimated $51,000 for the first four days of the second week. "The Westerner" opens there Thursday. At the Rivoli, "The Long Voyage Home" should gross an estimated $24,000 for its second week which ends tonight, and will be held over.

Ticket Tax Total In September Is Up to $5,851,655

WASHINGTON, Oct. 21.—Federal admission tax collections in September reached a total of $5,851,655, compared with $4,407,097 in August and $1,852,256 in September, 1939, it was reported tonight by the Internal Revenue Bureau.

Under the impetus of the lower 20-cent exemption, collections rose to the highest levels since the post-World War taxes, bringing total receipts for the first nine months of the year to $23,076,687 compared with $14,055,201 in the corresponding period last year.

The bureau's separate report for the Third New York (Broadway) District showed collections of $936,486, compared with $549,592 in August and $545,092 in September a year ago.

Box-office collections, including season tickets, jumped to $881,250 from $515,927 in August; tickets sold by brokers paid $15,111 against $4,265; tickets sold by proprietors in excess of the established price, $138 against $22; permanent use or lease of boxes and seats, $427 against $190, and admissions to roof gardens and cabarets, $39,559 against $29,187.

"North West Mounted Police"

[DeMille-Paramount]

(Continued from page 1)

tor Milner and Duke Green provided almost breath-taking background beauty as they captured the scenery of the vast Canadian country with their color cameras.

The cast is little short of a showman's dream come true. Gary Cooper, Madeleine Carroll, Paulette Goddard, currently featured in "The Great Dictator"; Preston Foster, George Bancroft, Akim Tamiroff, Lynne Overman and Walter Hampden perform expertly in the leading roles, aided by fine support from a large cast.

Cooper once again appears in the type of Western role of which he unquestionably is the screen's master, and in which he is most effective. Cooper, Texas Ranger, rides into Mounted Police headquarters in the Canadian woods at the time of an impending revolt of half-breeds, on the trail of a murderer who escaped Texas law. He crosses words with Foster, police sergeant, when he is attracted to Miss Carroll, mission nurse, with whom Foster is in love.

The stage is set for action and bloodshed. Bancroft is the revolt leader, attempting to rouse the Indians against the English, his stake the illegal whiskey running of the woods. Robert Preston, police constable, and brother of Miss Carroll, is in love with the wild, half-breed daughter of Bancroft. From that point the film moves with dramatic force and punch, now and again relieved by the excellent performance of Overman as the dour Scotchman, who was a friend of the half-breeds, but turns to aid the police against the revolt.

Highlighting the story are the desertion of Preston from his post, through the wiles of Miss Goddard; the massacre of a patrol sent on the trail of the murderers of two constables, in a thrilling fight in the woods, the burning of the fort to enable the wounded to escape, and through it all, the work of the Texas Ranger, fighting side by side with the Canadian police. Finally, the revolt put down, Cooper saves the memory of the dead Preston by proving him not a coward, and leaves with his prisoner, realizing that Miss Carroll really loves the sergeant.

Running time, 125 minutes. "G."* CHARLES S. AARONSON

*"G" denotes general classification.

Exhibitors Must Make Up Foreign Losses, Says Cole

(Continued from page 1)

creased admissions. He contended a better way to increase producers' revenue was to encourage the opening of more theatres instead of discouraging independent operations by making it difficult for new operators to obtain product.

The success of increased admissions policies in affiliated houses is no criterion for independent guidance, he contended.

H. M. Richey, assistant to William F. Rodgers, M-G-M sales manager, asked for specific instances of an exhibitor having been injured by increasing his admission prices when showing "Boom Town." He urged the delegates to spend more time in solving the problem of making the industry self-supporting, to offset the loss of foreign revenue.

Richey told the meeting that M-G-M will do "what it can to try to make the consent decree work."

Fred Herrington, secretary of the organization, reported that the Allied unit had sent protests against the consent decree to Attorney General Robert H. Jackson and Assistant Attorney General Thurman Arnold.

He also reported on action obtained from state officials in closing 16mm. shows operating in defiance of the labor and sanitary regulations.

Ira Cohn, 20th Century-Fox branch manager, here, explained the distribution of Red Cross trailers in the forthcoming annual roll call. George Dembow of National Screen Service spoke about the company's entry in the accessories field.

The decree will be discussed further tomorrow at both general convention meetings and a meeting of the national Allied board of directors, at which Abram F. Myers, chairman, will preside. The convention will close tomorrow night with a testimonial banquet to M. A. Rosenberg, retiring president of the Western Pennsylvania organization. The national board meeting will continue through Wednesday.

Bela Lugosi Signed

HOLLYWOOD, Oct. 21.—Producers Releasing Corp. has signed Bela Lugosi to star in "The Devil Bat," horror film, which Guy Thauer will produce for Sigmund Neufield. Jean Yarborough will direct.

Michele Morgan Arriving

Michele Morgan, French film player, signed recently by RKO, is due Friday on the *Exorchoda* from Lisbon, en route to Hollywood.

Name Weisfelt Booker

OMAHA, Oct. 21.—Jerry Weisfelt has succeeded Rube A. Wagle at the 20th Century-Fox exchange here.

Myers Query Brings Rebuff By Kuykendall

(Continued from page 1)

M.P.T.O.A. stands on the decree," Kuykendall said. "It has been reiterated many times in the trade press and in organizational bulletins, as well as to the Department of Justice. . . . By what authority, imaginary or real, can Mr. Myers demand statements from Ed Kuykendall, who was laboring under the impression that he was answerable to his board of directors only?

"My personal opinion is not important, but the widely expressed objections to certain clauses of the decree by thousands of exhibitors are important, and Mr. Myers knows how they stand as well as he knows that his own organization is almost entirely opposed to some of the decree's provisions."

"Is it possible," Kuykendall asks, "that Mr. Myers has worked himself into such a position by endorsing the consent decree that he now seeks to becloud the real issue? I cannot forget that this is the same Mr. Myers that dragged in outside reformers to besmirch the industry at the Neely bill hearings, and not being convinced of the sincerity of his purpose in this instance, I feel no inclination to answer any of his demands."

E. A. Huse Elected President of SMPE

(Continued from page 1)

Roosevelt Hotel here. He succeeds E. A. Williford of National Carbon, who continues on the board as past president.

Herbert Griffin of International Projector Corp., was elected executive vice-president. Other new officers are: A. C. Downes, editorial vice-president; William C. Kunzmann, reelected as convention vice-president; P. J. Larson, secretary; George Friedl, Jr., treasurer. R. O. Strock, former treasurer, has been named chairman of the Atlantic Coast Section of the S.M.P.E.

T. E. Shea, engineering vice-president of Erpi, was elected governor to serve out Griffin's unexpired term. M. C. Batsel of RCA and Loran L. Ryder of Paramount were also elected governors for two years.

The new officers will be introduced at the banquet and dance Wednesday evening.

The five-day meeting opened this morning with an address to the delegates by Williford. After routine business, an informal luncheon was held, with the chief address by Frank Capra, representing the Academy of Motion Picture Arts and Sciences.

This afternoon a general session was held and the reading of technical papers continued from the morning. This evening was occupied by a session on sound. This morning the new "black light" developed for theatre illumination was discussed by H. J. Chanon and F. M. Falge of the General Electric Co. J. W. McNair of the American Standards Association discussed the place standards occupy in the film industry.

Hollywood Reviews

"Tugboat Annie Sails Again"

(Warners)

HOLLYWOOD, Oct. 21.—The news that has been in the papers about Marjorie Rambeau taking her place among the screen's foremost character women with production of this picture is true, if the reaction of a Hollywood preview audience, which laughed and cried with her, may be taken as indicative. The critics will be saying no actress since Marie Dressler has turned in a performance like this one, so that is a thing for showmen to start telling their customers well in advance. The picture will make the promise good.

Alan Hale, Jane Wyman, Ronald Reagan, Clarence Kolb, Charles Halton and Paul Hurst are among the other players participating, but the film is designed to give Miss Rambeau a monopoly on attention, interest and sympathy. The story, by Walter DeLeon based on characters created by Norman Reilly Raines in a well remembered series of *Saturday Evening Post* stories, is about a woman whose senior captaincy of a tugboat corporation triumphs over competing tugmasters and the vicissitudes of life at sea and in commerce.

Produced by Edmund Grainger, the picture has been directed by Lewis Seiler with an eye to mixing humor and pathos in such fashion as to keep the former uppermost by way of making the latter the more effective when called upon.

Running time, 75 minutes. "G."* ROSCOE WILLIAMS

"The Old Swimmin' Hole"

(Monogram)

HOLLYWOOD, Oct. 21.—The "swimmin' hole" referred to in the title of this picture is depicted as the meeting place of a group of small town boys, and is seen as the center of much of the film's activities.

Leader of the boys is Jackie Moran, anxious to be a doctor, but temporarily out of school in order to work and help his widowed mother, enacted by Leatrice Joy. The boy's grandfather attempts to separate him from his mother by offering to finance a medical education for him, but the attempt is unsuccessful.

Largely instrumental in bringing together Miss Joy and the town's doctor, and making them realize their love for one another, is the doctor's daughter, portrayed by Marcia Mae Jones, who returns to the town from California, where she has been living with her mother, divorced from the doctor. Both the young principals and their respective parents are creditably portrayed.

Scott Dunlap produced and Robert McGowan directed the Dorothy Reid screenplay, from an original by Gerald Breitigam.

Running time, 80 minutes. "G."* W. S.

*"G" denotes general classification.

'Rockne' New Haven Winner with $7,200

NEW HAVEN, Oct. 21. — "Knute Rockne—All American" and "Father is a Prince" took $7,200 at the Roger Sherman. "Down Argentine Way," dualed with "Sky Murder" at the Loew-Poli, took $9,000.

Estimated takings for the week ending Oct. 16:

"Strike Up the Band" (M-G-M)
"Charlie Chan at the Wax Museum" (20th-Fox)
COLLEGE—(1,499) (39c-50c) 7 days, 3rd week. Gross: $2,600. (Average, $2,700)
"Down Argentine Way" (20th-Fox)
"Sky Murder" (M-G-M)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $9,000. (Average, $8,000)
"Queen of Destiny" (RKO)
"Dance, Girl, Dance" (RKO)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $4,200. (Average, $4,000)
"Knute Rockne—All American" (W. B.)
"Father Is a Prince" (W. B.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $7,200. (Average, $5,000)

Sunday Trial Oct. 28

HATTIESBURG, Miss., Oct. 21.—Tom Hartman, Harry Casles, Robert Sigler and H. D. Bowers, local theatre managers, recently arrested on charges of violating Hattiesburg's Sunday "blue laws," pleaded not guilty when arraigned before County Court Judge Haralson. The cases will come up for trial Oct. 28.

'Band' with $8,800 Is Cincinnati Best

CINCINNATI, Oct. 21.—"Strike Up the Band" had an excellent $8,800 second week at the RKO Grand. "Down Argentine Way" drew $10,000 at the RKO Palace, and "Pastor Hall" gave Keith's $5,000. The weather was cool.

Estimated takings for the week ending Oct. 15-19:

"Third Finger, Left Hand" (M-G-M)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $10,500. (Average, $12,000)
"Down Argentine Way" (20th-Fox)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $10,000. (Average, $10,000)
"Brigham Young — Frontiersman" (20th-Fox)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days, 2nd week. Gross: $2,600. (Axerage, $5,000)
"Spring Parade" (Univ.)
RKO CAPITAL—(2,000) (33c-40c-50c) 7 days, 3rd week. Gross: $3,500. (Average, $5,500)
"Strike Up the Band" (M-G-M)
RKO GRAND—(1,450) (33c-40c-50c) 7 days, 2nd week. Gross: $8,800.
"Men Against the Sky" (RKO)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days. Gross: $2,400. (Average, $4,500)
"Girl from God's Country" (Rep.)
"Marked Men" (Prod. Dist. Corp.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,200. (Average, $1,200)
"Who Is Guilty" (Mono.)
"Triple Justice" (RKO)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)
"Pastor Hall" (U. A.)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $5,000. (Average, $5,000)



'Westerner' Gets $30,000, Los Angeles

Los Angeles, Oct. 21.—"The Westerner" and "Yesterday's Heroes" drew a total of $30,000 at two theatres, $12,500 at the Chinese and $17,500 at Loew's State. "Foreign Correspondent" took $6,900 at the 4 Star in the third week.

Estimated takings for the week ending Oct. 18:

"The Westerner" (U. A.)
"Yesterday's Heroes" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 8 days. Gross: $12,500. (Average, $12,500).
"Foreign Correspondent" (U. A.)
4 STAR—(900) (55c-75c) 7 days, 3rd week. Gross: $6,900. (Average, $3,250)
"Hired Wife" (Col.)
"The Mummy's Hand" (Univ.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $7,000. (Average, $6,500)
"The Westerner" (U. A.)
"Yesterday's Heroes" (20th-Fox)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 8 days. Gross: $17,500. (Average, $14,000)
"Hired Wife" (Col.)
"The Mummy's Hand" (Univ.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $7,000. (Average, $7,000)
"Cherokee Strip" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: Lewis Armstrong & Orchestra. Star Harlem Revue. Gross: $14,000. (Average, $18,000)
"Knute Rockne—All American" (W. B)
"Slightly Tempted" (W. B.)
WARNER BROS. (HOLLYWOOD) — (3,000) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $9,200. (Average, $14,000)
"Knute Rockne—All American" (W. B.)
"Slightly Tempted" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $10,500. (Average, $12,000)

Roosevelt-Bronston Dissolve Agreement

Hollywood, Oct. 21.—James Roosevelt and Samuel Bronston have dissolved for the second time their production agreement, leaving Bronston without a release for his production, "Martin Eden," which had been scheduled for United Artists release as a consequence of Roosevelt's association with that company.

Bronston will leave for New York in a few days to negotiate a new release for the picture.

Reason given for the split-up was the pressure of other obligations on Roosevelt's time, including his duties in the U. S. Marine Corps Reserve, in which he holds a commission as a captain; his work on "Pot o' Gold" for United Artists, and his short production for Mills Novelty's "Soundies."

The first Roosevelt-Bronston association was dissolved last Spring because of difficulties in obtaining financing, but was renewed again last month with Roosevelt agreeing to make five pictures for the combination for United Artists release.

Yates, Grainger to Atlanta Premiere

Herbert J. Yates and James R. Grainger, Republic president, plan to attend the Atlanta premiere of Republic's "Who Killed Aunt Maggie" on Thursday, proceeds of which will go to charity. All Republic franchise holders east of the Mississippi are scheduled to be present, as well as a Hollywood group including John Hubbard, Walter Abel and Mona Barrie.

Jane Withers Will Star in 20th Century-Fox Musical

Hollywood, Oct. 21

JANE WITHERS will be starred in her first all-musical by 20th Century-Fox as her next vehicle. It will be "Coast to Coast," written by Ethel Hill and produced by Milton Sperling.

• •

Rita Hayworth has been borrowed from Columbia to replace Ann Sheridan in Warners' "The Strawberry Blonde," in which James Cagney and Olivia de Havilland will be starred. Miss Sheridan is reported under suspension for the duration of the picture. . . . Brian Donlevy will play the role of Al Jennings in "The American Vagabond," autobiography of O. Henry being produced by Boris Morros for Paramount release. . . . Eduardo Ciannelli will play the title role in Republic's serial "The Mysterious Dr. Satan." . . . Gene Lockhart has been signed for Warners' "The Sea Wolf." . . . Frank Morgan and Irene Rich have been set for "Keeping Company" at M-G-M.

• •

Kurt Bernhardt has been assigned the direction of "Adopted Daughter" at Warners. Earl Baldwin wrote both the original story and screenplay. Wolfgang Reinhardt is producing. . . . Andrew Stone, Paramount producer, is seeking film rights to Charles Ruggles' "What Makes the Clock Tick," a novel.

• •

Eddie Albert's next for Warners will be "Stuff of Heroes" from the Harold Titus story which will co-star Priscilla Lane. Ben Stoloff will direct. . . . Lou Brock, RKO producer, has purchased 10 Rodgers and Hart songs for "They Met in Argentina," for which James Ellison has been set. . . . Jo Swerling is doing the script for "Blood and Sand," in which 20th Century-Fox will star Tyrone Power. . . . Jackie Cooper has been cast for M-G-M's "Ziegfeld Girl." . . . Republic has extended the contract of Mary Lee, 15-year-old singer, who will be starred in "Sierra Sue."

• •

Leon Schlesinger, who makes cartoons for Warners, is rushing preparations on four cartoons featuring "Bugs Bunny" who first appeared in "The Wild Hare." First of the four will be ready in two weeks, with three others ready almost immediately following. . . . "Her Father's Daughter," being produced by I. E. Chadwick for Monogram, will feature Wilbur Evans and Edith Fellows. Edward Dmytryk, formerly under contract to Paramount, will direct. Ann Doran, Marian Kerby, Marlow Dwyer and others are in the cast.

• •

James M. Cain has been signed by 20th Century-Fox to work on the script of the proposed "Lucky Baldwin." . . . Edna May Oliver draws a featured role in Producer-Director David Butler's next film at RKO, as yet untitled. It will be filmed in color, against a California race background.

• •

Regis Toomey joins "Reaching for the Sun" troupe, which will use the Packard plant for background. Joel McCrea is starred in the William A. Wellman production. . . . A special role has been written into Paramount's "New York Town" for Betty Brewer," 13-year-old starlet. . . . Joseph Santley, given a term director contract at Republic, will next guide "A Flagpole Needs a Flag." . . . George W. Weeks' next "Range Busters" western for Monogram release has gone into production.

File Contract Suit Against 20th-Fox

Philadelphia, Oct. 21.—A. M. Ellis, who operates the Broad here and the Broadway and Towers in Camden, N. J. filed suit on Saturday in Common Pleas Court here against 20th Century-Fox, asking $107,500 damages on alleged violation of a contract by the distributor in selling pictures for the Towers.

In the bill of complaint, filed by Richardson Dilworth, representing the Towers Theatre Co. of Camden, N. J., it is charged that Ellis bought the Towers in June, 1939, at a sheriff sale for $64,000 and spent $124,000 to remodel the house solely on the verbal promise of Edgar Moss, 20th-Fox district manager here, that he would be able to buy all of company's pictures rejected by Joseph Varbalow of the Savar in Camden. In return, it is asserted, Ellis agreed to waive the seven-day clearance at his Broadway for Varbalow's Victoria.

Name Shaw as Film Advisor to India

London, Oct. 21.—Alexander Shaw, director of documentary films for the Associated Strand Film Co., has been appointed film advisor to the Indian Government and will sail this week.

Publicists Guild Confers with NLRB

A conference was held yesterday between representatives of the Screen Publicists Guild and Charles Kramer, board examiner for the National Labor Relations Board, concerning the petition filed by the S.P.G. for designation as collective bargaining agency for publicity and advertising department employes in the home offices of all major companies. The Guild claims a membership of more than 90 per cent of such employes and believes that an early meeting with the companies will result from the NLRB conferences.

'Fantasia' Premiere For British $10 Top

Tickets for the premiere of Walt Disney's "Fantasia" at the Broadway Theatre, Nov. 13, which will be a benefit performance for the British War Relief Society, will be scaled at $5, $7.50 and $10.

Special sound equipment will be installed in the theatre during the next two weeks under the supervision of Tom Gerity, Disney studio technician, who will arrive from the Coast this week.

Ladies Treat

Rochester, Oct. 21.—Loew's saluted "Rochester ladies" with a special "sweethearts owl show" Saturday night. Women bought the tickets. The stunt was arranged by Lester Pollock, manager.

Wright Takes Blame For Rivoli Star Use

John Wright, manager of the Rivoli on Broadway, yesterday accepted responsibility for that theatre's use of a four-star critic's award in its advertising on "The Long Voyage Home," which led to the scrapping of the four-year old agreement by home office advertising and publicity directors not to make use of the symbols.

Wright said the Rivoli never had been a party to the agreement and therefore felt no obligation to refrain from making use of the stars in its advertising.

Because United Artists is the distributor of "The Long Voyage Home" and presumably contributes to the advertising expenditure for the picture there, some criticism had been directed at it for the Rivoli's action. United Artists was a party to the agreement among the advertising directors.

When the Rivoli declined to discontinue the star advertising, the Paramount employed it for "Arise My Love," which led to a general declaration by the other advertising directors that they considered the agreement to be "off" and that they, too, would make use of the "star" ratings in their future advertising.

Robert M. Gillham, Paramount advertising and publicity director, said yesterday he considered the agreement useless because the stars have been so frequently used on Broadway theatre marquees and because the only purpose of the agreement originally was to discourage the use of the symbols by reviewers. Instead of accomplishing this, he pointed out, the symbols are in wider use than four years ago.

Legion Approves 6 Of Eight New Films

Of the eight new films reviewed and classified for the current week, the National Legion of Decency found two unobjectionable for general patronage, four unobjectionable for adults, one objectionable in part and condemned one, "Time in the Sun." The pictures and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Little Bit of Heaven," "Thundering Frontier." Class A-2, Unobjectionable for Adults—"The Long Voyage Home," "They Knew What They Wanted," "Third Finger, Left Hand," "The World in Flames." Class B, Objectionable in Part—"Arise My Love."

Mesibov Joins Paramount

Sid Mesibov, formerly with Warner Theatres publicity department in Philadelphia, has been added to Alec Moss's exploitation staff at Paramount. Mesibov will be liaison between the home office and New York metropolitan circuits to coordinate the work of the two on Paramount bookings.

from the Heart of Humanity...



to the Heart of Show Business

SHOW BUSINESS always leads the world in every worthy cause. Now—more than ever—the AMERICAN RED CROSS needs us. Let's help make the coming MEMBERSHIP DRIVE the greatest in history. The Roll Call starts Nov. 11th. Let us DO OUR SHARE!

This Space Contributed by MOTION PICTURE DAILY

Foreign Units' Fears Allayed By FCC Head

Foreign language stations have nothing to fear if their programs are designed to serve the public interest, FCC Chairman James L. Fly assured delegates to the National Independent Broadcasters convention at the Waldorf-Astoria yesterday. Fly allayed the fears of many of the broadcasters that the Government intended a campaign to eliminate such stations.

He insisted that foreign language programs have a definite place in American radio but pointed out that it was up to the station owners to see that no subversive propaganda went over the air.

Fly stated flatly that it was not the intention of the Government to take over radio as a defense measure. He pointed out that it was necessary for the Government to have a radio listening audience and that there was an excellent chance that the audience would be lost if the Government took over radio.

The delegates heard several discussions concerning the Ascap-BMI fight and the advertising agencies' viewpoint with respect to discounts and differentials between local and national rates. In the evening they were guests of BMI for dinner.

It was decided yesterday to elect the officers directly instead of having the board of directors do so. Elections will be held today. The meeting is expected to end before noon.

Circuit in Contract With St. Louis Union

ST. LOUIS, Oct. 21.—Back pay for 50 operators, amounting to about $15,000, is provided in a contract negotiated between the St. Louis Amusement Co. and the operators' union, Local 143.

Robert Tomsen, business agent of the union, said the back pay is included in an amendment to the contract and had been agreed upon in place of a clause to grant wage increases on a graduated scale for the next three years. The new contract has three years to run.

End Plagiarism Suit

A stipulation settling the $100,000 damage suit of Harry Delf against Loew's, Inc., General Foods Corp., NBC, Benton & Bowles, Inc., Marcus Loew Booking Agency, and others was filed in U. S. District Court yesterday. Delf had claimed that the "Good News of 1938" program broadcast in January, 1938, plagiarized a sketch, "The Broker."

Musical Faces Ban

PROVIDENCE, Oct. 21.—"Pins and Needles," musical show of the Ladies' Garment Workers Union, ran into its first major censorship difficulty today, when police said the play, due here next week, would not be licensed unless the "Harmony Boys" skit is deleted. The Police Bureau will hold a hearing on an appeal tomorrow.

Off the Antenna

JOHN SHEPARD III, president of the Yankee Network, will be honored by the Advertising Club of Boston at a luncheon in the Hotel Statler there today. As a tribute to Shepard, who has pioneered in the development of FM, there will be a network hookup of FM which will link Boston and Paxton, Mass. Four months after Shepard took over WNAC, his first station, in 1923, WEAF and WNAC were linked by telephone wires for the first network broadcast. Today's network will not use telephone wires.

• • •

Purely Personal: *Bob McAndrews has been named to head NBC's sales promotion for the Western division and Gene E. Clark has moved to McAndrews' post as sales promotion manager at KGO-KPO, San Francisco. . . . Mort Silverman has joined the sales staff of WINS. . . . Frank Barhydt has been named sales promotion and publicity head at KMBC, Kansas City. . . . Harry W. Flannery has been assigned to Berlin as the CBS correspondent there. . . . Alexander Woollcott returns to the air Wednesday, Oct. 30, as guest on "Cavalcade of America" over NBC. . . . Brad Simpson has been named WKRC, Cincinnati, program manager.*

• • •

The FCC has revised its procedure on applications. Hereafter, no application will receive a file number or be regarded as officially filed until it is in the proper form. All corrections must be made before the application will receive consideration.

• • •

WLWO, the Crosley international short wave station in Cincinnati, was off the air for six hours Sunday night because of a fire of undetermined origin which damaged the tuning apparatus.

• • •

Sidney M. Strotz, newly elected vice-president in charge of programs for NBC, will meet the New York press at a cocktail party this afternoon prior to assuming active charge of his New York office.

FP Canadian Has Film Idea Contest

TORONTO, Oct. 21.—Famous Players Canadian Corp. this week opened a production ideas contest for cash prizes totaling $250 for all theatre employes of the company across the Dominion, the closing date to be Oct. 30.

All persons on theatre payrolls have been invited to submit ideas for screen story material in condensed form, the best of which will receive company awards. First prize is $100. Later the ideas will be submitted to the production staff of Paramount in Hollywood. A similar contest is under way at the Paramount home office.

Krutch New Head Of Drama Critics

Joseph Wood Krutch, professor of drama of Columbia University and critic, was elected president of the New York Drama Critics Circle at the Hotel Algonquin yesterday. Other new officers are John Anderson, *Journal-American*, vice-president; Sidney Whipple, *World-Telegram*, treasurer, and Louis Kronenberger, *PM*, secretary.

London, Ont., Dividend

TORONTO, Oct. 21.—The Toronto home office of Loew's London Theatres, Ltd., has announced the declaration of a dividend of 25 cents per share on the seven per cent preferred stock of the company, which operates Loew's Theatre at London, Ont. Payment will be made Nov. 30.

Duals in St. Louis

ST. LOUIS, Oct. 21.—Fanchon & Marco has set a new policy for the Fox and Ambassador, de luxe major run theatres. Both houses will play duals.

Union Clambake Today

ROCHESTER, Oct. 21.—Theatre managers have been invited to attend a clambake set tomorrow night by Local 25, I. A. T. S. E.

English G. N. Wins Right to Name Here

Grand National Pictures, Ltd., yesterday was granted authority by Federal Judge Vincent T. Leibell to conduct business in New York under its present name. Authority was required because of the similarity in name between the English company and Grand National Pictures.

Liquor Mentioned

Ocean City, N. J., Oct. 21. THE Women's Christian Temperance Union of New Jersey in convention here, was urged to organize against motion pictures by Mrs. Mary DuBois of Salem, president. She said that of 140 pictures studied, 113 were found to contain favorable mention of various liquors.

Roosevelt Shows 'Soundies' to 2,500

Approximately 2,500 persons responded to the invitations of James Roosevelt and Mills Novelty Co. to see the first New York demonstration of the "Mills Panoram Soundies" at the Starlight Roof of the Waldorf-Astoria yesterday. Represented in the crowd were many film and theatre executives and hotel, restaurant and cafe operators.

Roosevelt came on from the Coast to attend the showing, which, with its attendant diversions, spread out over two floors of the Waldorf-Astoria.

Roosevelt's Globe Productions supplies 300-foot 16mm. subjects for the Mills machines, which are self-contained. Projector, speakers and screen are in one cabinet about six feet high, three feet wide and two feet deep. About 30 to 50 persons can witness the showings at a time for 10 cents per subject. The screen is two feet wide and 18 inches high. It is not affected either by daylight or electric light.

This is Driscoll...



...always ready for fun or a fight...but he'd give his life to get Oley home.

DRISCOLL, played by Academy Award winner, Thomas Mitchell, is one of the unforgettable characters in JOHN FORD'S production of Eugene O'Neill's "THE LONG VOYAGE HOME" which the New York Post says "will rank as one of the great American films."

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 81 NEW YORK, U. S. A., WEDNESDAY, OCTOBER 23, 1940 TEN CENTS

NBC Returns Television to Air on Friday

Sporadic Telecasting, Designed for Testing

NBC will bring back television to the air on Friday. The return, however, will not be the regular program service which was offered up to Aug. 1 when W2XBS signed off but will be an intermittent service designed primarily for testing. No announcement was made concerning the time that regular programming will be resumed.

Test patterns will be put on the air for the first two days to permit checking of apparatus and adjustment of receivers. On Sunday a film will be telecast. The film has not yet been selected. Thereafter, at the close of each program, NBC will announce the time and nature of the program which will follow but no further advance announcements will be made.

NBC will continue to televise its signal with 441 lines at 30 frames per second. This system will be continued until the National Television Systems Committee brings in a definite report,

(*Continued on page* 8)

Crowther Elected Film Critics Head

Bosley Crowther of the *Times* was elected chairman of the New York Film Critics at the group's first meeting of the year yesterday. He succeeds Kate Cameron of the *News*. Herbert Cohn of the *Brooklyn Eagle* was elected secretary to succeed Leo Mishkin of the *Morning Telegraph*.

Cecelia Ager of *PM* and Theodore Strauss and Thomas M. Pryor of the *Times* were admitted to membership.

The critics will start balloting on their annual awards in December. Jan. 5 was set tentatively as the date when the awards will be presented.

A Sellout

Because of heavy advance reservations for tomorrow night's Fall conference dinner of the Picture Pioneers, the "Circus Night" affair will be held in the larger Belvedere Room atop the Astor instead of the North Ballroom, which had been reserved first. Approximately 30 new members of the organization of 25-year industry veterans will be initiated during the evening.

British Trade Halts Army Plan on Films for Troops

LONDON, Oct. 22.—The British film industry today emphatically and completely blocked the scheme of the Army Council to monopolize the operation of film entertainment for the nation's armed forces.

Representatives of the Cinematograph Exhibitors Association and the Kinematograph Renters Society (distributors) outlined the industry's stand at a luncheon today at the Dorchester Hotel, when the army plan was presented. The generally emphatic attitude of non-cooperation expressed courteously but firmly at the luncheon caused a sensation in the British War Office and among the members of the lay press present at the luncheon.

The new Army Council plan was described by the Duke of Gloucester and Lord Croft. It aims at the establishment of 150 mobile 16 mm. units and 150 35 mm. units. The groups would be formed fundamentally for the purpose of technical training, but would embrace in their programs entertainment films to be shown without admission charge.

Sam Smith, president of the K. R. S., and Harry Mears, president of the C. E. A., both rebuked the military authorities for the luncheon presentation of the plan. They insisted that distributors and exhibitors alike are satisfied with the present method of supplying films for the armed forces, through the Navy, Army and Air Force Institute. They said they are waiting evidence that this procedure is unsatisfactory.

The two trade executives declared the new plan would meet industry opposition, and expressed the belief that the new arrangement would mean the gratuitous provision of entertainment films. Smith called the whole plan superfluous, in which he was supported by Mears. They countered Croft's request for the setting up of a joint representative committee with the reply that they could not commit their members to any specific attitude in the matter.

Dismisses Davilla Infringement Suit

Federal Judge Samuel I. Mandelbaum yesterday dismissed the infringement suit of Joseph J. Davilla against numerous composers, film and radio companies and music publishers in an opinion read from the bench.

Louis D. Frohlich of Schwartz & Frohlich represented the principal defendants in the $250,000 damage action based on Davilla's charge that "The Desert Song" infringed a composition of his, written in 1918. Principal defendants included Sigmund Romberg, Otto Harbach and Oscar Hammerstein II, composers of "The Desert Song"; Warners, NBC, CBS,

(*Continued on page* 4)

Wells Is Reelected By AGVA Unit Here

Peter Wells, acting president of the New York local of the American Guild of Variety Artists, was reelected president at the annual membership meeting at the Hotel Edison yesterday.

Elton Rich was named first vice-president; Romo Vincent, second vice-president; Hazel Scott, third vice-president; Sydney Chatlon, fourth vice-president; Edward Bartell, fifth vice-president; Charles Arno, recording secretary, and Sam Kramer, treasurer. Twenty-one board members also were elected. All serve for one year.

New Universal Suit Filed by Freiday

Second directors' and stockholders' suit against Universal Pictures and a large number of defendants was filed yesterday in the N. Y. Supreme Court by William Freiday. The suit follows one brought by Samuel Posen on similar charges.

The Universal board of directors yesterday issued the following statement: "In reference to the complaint filed by Freiday against Universal Corp., its directors and others, it is a matter of record that Mr. Freiday, who has been a director of the corporation since its inception, has voted in favor of the principal acts

(*Continued on page* 4)

Para. Executives To Chicago Today

A group of Paramount executives, headed by Barney Balaban, president, and Mrs. Balaban, will leave here today by plane and train for the American premiere in Chicago tomorrow evening of the Cecil B. De Mille film for Paramount release, "North West Mounted Police." The opening will be at the Chicago and State-Lake theatres.

Among those going from here by plane will be Stanton Griffis, Sam Dembow, Jr., Leonard Goldenson and Alec Moss. Traveling by train will be

(*Continued on page* 4)

Seek Highest Type Citizen As Arbitrator

Expect Decree Will Go To Court Tuesday

In order that only the highest type of official might be obtained to serve as members of the board of appeals under the arbitration terms of the proposed New York consent decree, the negotiators of the pact may set the individual salaries of the three men who will constitute this board at around $20,000 to $25,000 yearly, which is comparable to that received by N. Y. Supreme Court justices, it was reported last night. The arbitrators will be appointed by the court.

Local arbitrators will be appointed according to the rules of the American Arbitration Association.

There are still some minor adjustments to be made in the pact before it is finally presented to the court.

Certain conclusive agreements on all of the points of the decree were reached yesterday,

(*Continued on page* 4)

Seven Companies To Meet With SPG

Informal conferences between seven major companies and the Screen Publicists Guild have been set at the National Labor Relations Board within the next week by Examiner Charles Kramer. The S.P.G. seeks designation as sole collective bargaining agency for publicity and advertising employes at home offices.

Meetings will be held with RKO, Warners, 20th Century-Fox and United Artists tomorrow; Paramount and Columbia, Friday, and M-G-M, Tuesday.

Quite!

Charlie Chaplin recently met Louis Bromfield in a restaurant. The two, who are old friends, were soon engaged in an animated conversation which ran something like this:

"You must see my picture," said Charlie.

"Your picture, oh, yes, yes —how is it?"

"Quite controversial, you know."

Consolidated Profit $538,265, 9 Months

Net profit of $538,265 after all charges and depreciation but before provision for Federal taxes was reported yesterday by Consolidated Film Industries, Inc., for the nine months ended Sept. 30, last. The net is equal to $1.34½ on the 400,000 shares of the company's $2 preferred stock outstanding.

Net profit for the third quarter ended Sept. 30 was $163,497, equal to 40½ cents per share on the $2 preferred stock.

Set Key City Runs On 'Great Dictator'

"The Great Dictator" has been set by United Artists to open Oct. 31 in Baltimore, New Orleans, Rochester and Buffalo on a policy of continuous, unreserved seat runs with prices at 75 cents matinees and $1.10 top nights.

The engagements will be at the Great Lakes, Buffalo, Loew's Century in Baltimore, Loew's in Rochester and Loew's State, New Orleans.

The film will also play Kansas City starting Oct. 31 The first Canadian showing will be in Ottawa Nov. 4.

Raises Matinee Price

NEW HAVEN, Oct. 22.—The Lincoln has raised its regular matinee admission from last year's 25-cent level to 40 cents, while its evening price stays at 55 cents, the highest in the city.

Personal Mention

ROBERT SISK, RKO producer, is here from the Coast for a brief visit.

•

BOB O'DONNELL is in town from Dallas.

•

WALT DISNEY is expected here from the Coast in about two weeks.

•

NATE GOLDSTEIN of Springfield, Mass., is in town for Paramount home office conferences.

•

JAMES ROOSEVELT plans to leave for the Coast tomorrow afternoon by plane.

•

ISADOR M. RAPPAPORT and THEODORE ROUSTON, owner and manager, respectively, of the Hippodrome, Baltimore, are visiting here.

•

MR. and MRS. JOHN MORONEY left yesterday on their return to Dallas after a brief visit here.

•

L. W. CONROW, president of Altec, is back from a two-week trip.

•

SAUL KORMAN, manager of the Grant, Detroit, is visiting here.

•

SOL EDWARDS, EDWARD PESKAY, MAX WEISFELDT and RUBE JACKTER at Lindy's (next to the Rivoli) yesterday for lunch.

•

ROBERT RISKIN will arrive here next week from the Coast.

M. J. SIEGEL, Republic studio head, is due here Monday on a semi-annual visit.

•

DONALD GLEDHILL, Academy of M. P. Arts executive secretary, has returned to Hollywood from New York.

•

JOSE RAVENTOS, Costa Rican theatre owner, is in New York on a purchasing mission. He will be here about 10 days.

•

HARRY L. GOLD, HAL HORNE, ARTHUR SILVERSTONE, JOSEPH PINCUS and ARTHUR GOTTLIEB lunching at Lindy's (51st St.) yesterday.

•

JULES LEVEY, WILLIAM MCHALE, LAWRENCE LIPSKIN, JAMES MULVEY, JACK MILLS, MAURICE FREEMAN, MONROE GREENTHAL, LYNN FARNOL, OSCAR DOOB, ARTHUR LEE, RAY GALLAGHER, JAMES CRON, JOSEPH SEIDELMAN, SAM SPRING and HARRY THOMAS having lunch yesterday at the Tavern.

•

HERMAN WOBBER, ARTHUR LOEW, CHARLES E. MCCARTHY, GUY BOLTON, ALEXANDER INCE, VINCENT TROTTA, DONALD GIBBS, ARMANDO, RUSSEL CROUSE, KENT SMITH, BEN WASHER, MARC CONNELLY, LEE SHUBERT and BOBBY CRAWFORD having lunch yesterday at Sardi's.

•

HOWARD DIETZ, J. J. UNGER, HARRY BRANDT, SAM RINZLER, GEORGE WELTNER, WILLIAM ORR, ADOLPH ZUKOR, ERNO RAPEE, CLIFTON FADIMAN, TOBY GRUEN and JOHN W. HICKS at Nick's Hunting Room in the Astor yesterday for lunch.

•

H. IVOR DAUM, manager of the Strand, Allentown, Pa., is recuperating at the Haff Hospital, Northampton, Pa., following an operation.

•

RICHARD BERGSETH, manager of the Ventnor, Atlantic City, has left for a month's vacation with his family, visiting his home in Seattle.

•

MORRIS HADELMAN, theatre operator of Shelton, Conn., is ill with the flu.

•

PHIL GRAVITZ, M-G-M booker in New Haven, is vacationing here.

•

HUGH MCGUIRE, RKO New Haven booker, has been confined to his home with the grippe.

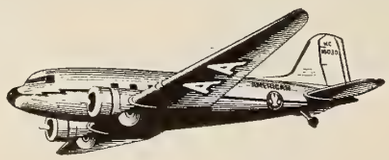
Study New Zealand Plan on Remittances

Proposals for a new agreement on cash remittances from New Zealand, replacing the one which expires Nov. 1, were discussed by major company foreign managers at M.P.P.D.A. headquarters yesterday. A final agreement is subject to further negotiations in New Zealand.

Also discussed at the meeting was a new tax measure on currency exports which has been proposed by Argentina.

'Sinners' in New Orleans

HOLLYWOOD, Oct. 22.—World premiere of Universal's "Seven Sinners" will be held at the Orpheum, New Orleans, Oct. 31. Marlene Dietrich will attend.



CALIFORNIA

American's Southern Sunshine Route

5 FLAGSHIPS DAILY COAST-TO-COAST

★ It's only an overnight skysleeper trip to Los Angeles via American's Famous Sunshine Route! Delicious meals aloft. Stewardess service. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: Rockefeller Center, 18 W. 49th St.; Grand Central, 45 Vanderbilt Ave.

CONVENIENT DEPARTURES

The Sun Country Special 7:05 am
The Plainsman . . . 4:10 pm
The Mercury (Two Sections) 4:45 & 5:10 pm
The Southerner . . . 10:30 pm

AMERICAN AIRLINES Inc.

ROUTE OF THE FLAGSHIPS

Newsreel Parade

CONSCRIPTION, with Clarence A. Dykstra sworn in as administrator; the political campaign and the candidates, and the Earl of Athlone's visit to Hyde Park are highlights of the new issues. The sports division is taken care of by college football. The contents:

MOVIETONE NEWS, No. 13. — London carries on despite raids. Italians in Palestine attack. Earl of Athlone visits Roosevelt. Dykstra sworn in. Willkie on tour. McNary in campaign talk. Plane crash here. Football.

NEWS OF THE DAY, No. 211—Situation in London. Dykstra takes post as conscription director. Willkie in the Midwest. Earl of Athlone at Hyde Park. Football.

PARAMOUNT NEWS, No. 16 — New York Guardsmen leave for Alabama. Dykstra sworn in; World War hero named to draft board; conscientious objectors await trial; first serial numbers posted. Flynn predicts Democratic victory. Roosevelt speaks at Hyde Park. Willkie on campaign tour. Football. Evacuated British children here talk to parents in England by radio.

RKO PATHE NEWS, No. 16—Conscription director sworn in. Troops in Australia. Jewish community in Shanghai. Tool rental shop in San Francisco. Children here in radio talks to parents in England. Football.

UNIVERSAL NEWSREEL, No. 921—Italians fight in Africa. Senator Johnson endorses Willkie. Willkie in Twin Cities. Earl of Athlone visits Roosevelt. Draft director sworn in. Knox at Brooklyn air base. Football.

'Flames' Rehearing Is Due Tomorrow

Earle Sweigert, Paramount Philadelphia branch manager, conferred yesterday with the state censor board there on the company's application for a rehearing on the board's order prohibiting the exhibition of "The World in Flames" in Pennsylvania. The rehearing is expected to be held tomorrow. If the board upholds its ban on the picture Paramount will appeal the order to the state courts.

Bookers Party Friday

The Motion Picture Bookers' Club of New York will hold a dinner Friday night at Leon and Eddie's and an open meeting Nov. 4 at the Hotel Lincoln. Harold Kline of the Cocalis circuit is president.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame.

Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

SCOOP!



"LONDON CAN TAKE IT!"

ONE REEL WITH ON-THE-SPOT NARRATION BY

QUENTIN REYNOLDS

OF COLLIER'S MAGAZINE

PRINTS IMMEDIATELY AVAILABLE FROM

WARNERS!

Seek Highest Type Citizen As Arbitrator

(*Continued from page 1*)

and the negotiators expect to be able to present the final document to Federal Judge Henry W. Goddard next Tuesday.

Government attorneys stated that they are hopeful the decree may be finally documented today or tomorrow and that it may be ready for U. S. Attorney General Robert Jackson's approval tomorrow. In that event, the Government might feel free to release the draft to the press on Friday. However, some of the negotiators are doubtful that it can be disposed of with such speed.

Court to Set Hearing

When the decree is presented to the court, it is expected that a date for a public hearing to follow the presentation session will be set. Actual signing of the decree by the five concurring companies is not expected until the court shall have indicated its approval of the decree.

Exhibitor leaders are expected in New York in the next few days to be on hand for the submission of the decree to the court and to plan their lines of action against its adoption.

Adjournment to next Tuesday of the hearing scheduled for yesterday was agreed to by Judge Goddard following an hour's conference in his chambers.

Assistant Attorney General Thurman Arnold has approved the decree but has not yet seen the final rules of arbitration which supplement it. These will go to him and Attorney General Jackson today.

B. & K. Officials Approve

Following yesterday's court session, attorneys for the Government and the consenting companies adjourned to the Bar Association Building for a final meeting which lasted into the night. At this session, the approval of Balaban & Katz officials to the terms of the settlement of the Chicago consent decree was given.

Under its terms Balaban & Katz and two of its subsidiaries will pay fines aggregating $10,000. The action pending against them and Barney Balaban, Paramount president, will then be dismissed and the terms of the Chicago consent decree will be revised to eliminate any conflict with the New York decree.

The "rule of five," by which independent circuits of five or more houses are not permitted to bring clearance complaints for arbitration under the New York decree, will be suspended in its entirety for the Loop area in Chicago under the revision of the B. & K. decree. Elsewhere within the city limits the rule will be abandoned for first and second neighborhood runs only, and in other areas serviced by Chicago exchanges it will be dropped for first runs only.

Under the settlement of the Fox West Coast consent decree, it was agreed, the rule will not apply to first and second runs in Los Angeles, to first runs in the suburbs and to first runs elsewhere in the southern half of California.

Modifications have also been made which remove the former ban on arbitration of complaints under the New York decree which were before the industry N.R.A. boards, and complaints not filed within the past five years have been extended to include any made to the Department of Justice during that period. In addition, the decree now provides that clearance complaints involving franchise agreements between two of the defendants in the suit can be arbitrated.

The Government expects to file its amended complaint against the three non-consenting companies—Columbia, United Artists, and Universal—at the hearing next Tuesday.

New Film Sound Realism Described at SMPE Meet

Hollywood, Oct. 22.—New realism in motion picture sound, radio broadcasts and phonograph recordings through a new type of ultra-directional microphone was described at the Society of Motion Picture Engineers Convention here today by Dr. H. F. Olson of RCA Manufacturing Co.

During today's morning and evening sessions, on the second day of the five-day annual Fall meeting, held at the Hollywood Roosevelt Hotel, technical advances in sound and sound recording were discussed.

The new microphone, developed by Dr. Olson, is known as the "line microphone." Other papers presented at the morning session were on low noise microphones, by A. L. Williams and H. G. Baerwald, Brush Development Co., Cleveland; calibrating microphones, by F. L. Hopper of Erpi and F. F. Romanow of Bell Telephone Laboratories, and a third by S. J. Begun of Brush Development, on "Stabilized Disc Record Cutters."

This afternoon was devoted to a visit by delegates to the 20th Century-Fox studios.

This evening's technical session was occupied with a discussion of sound recording problems. R. Van Slyker, head of R. Van Slyker Enterprises, described a new low-temperature sound stage, providing sub-freezing temperatures. A radical new camera boom and dolly which is said to operate more efficiently than units of larger size was described by John Arnold of the M-G-M Studio. Other papers were read by C. R. Daily, Paramount; W. R. Goehner, Bell Telephone Laboratories; R. W. Benfer and G. T. Lorance, Erpi; J. G. Frayne, Erpi, and others.

Winners of the S.M.P.E. Progress Medal and the Journal Award will be presented at a banquet tomorrow night. The new officers of the Society, elected yesterday, will be introduced, and the evening will be concluded with entertainment and dancing.

Nominees Approved By S.W.G. Directors

Hollywood, Oct. 22.—The Screen Writers Guild board of directors last night approved the nomination of officers. They include: Sidney Buchman and Dwight Taylor, for vice-president; Ralph Block and Dore Schary, secretary; Lester Cole and George Oppenheim, treasurer.

The election will be held Nov. 13, with members having the right to nominate from the floor or by petition. The board was told the S.W.G. now has 800 members. It authorized the negotiations seeking an extension of the bargaining contract to independent producers.

Dismisses Davilla Infringement Suit

(*Continued from page 1*)

Harms, Witmark, Knickerbocker Broadcasting Co., Bamberger Broadcasting Service, RCA Victor and Columbia Phonograph Co. The court did not find that "The Desert Song," which was used in both the musical play and motion picture, was an infringement of Davilla's song, "You Are My Spider and I Am Your Fly."

New Universal Suit Filed by Freiday

(*Continued from page 1*)

voted by the board, about which he now complains.

"Universal and its directors are confident that they will thoroughly answer these charges in court when the case comes up for trial."

The Freiday complaint charges the defendants with forming a syndicate in 1935 and obtaining control of the company by purchasing the stock of Carl Laemmle for $5,450,000. Thereafter, the plaintiff states, the defendants caused the sale of Universal Pictures, Ltd., to J. Arthur Rank and associates for $600,000 when the company was allegedly worth $3,000,000. Freiday claims Rank was willing to pay $2,600,000 for the company. In addition, the complaint alleges that Universal should distribute its own film and not grant the distribution rights to Big "U."

Freiday asks the right to intervene in the Posen suit. The complaint asks an accounting, injunction to restrain the payment of salaries and interest charges to a number of defendants and an order to set aside the sale of Universal Pictures, Ltd., to Rank and other defendants.

W. B. Shorts Lineup Is Near Completion

Hollywood, Oct. 22.—Warners' 1940-'41 short subjects program will be completed in November, with the filming of two more subjects. The schedule consisted of 45 short subjects, and does not include cartoons.

The two to be shot in November are "Wings of Steel," a two-reel color preparedness subject to be directed by B. Reeves Eason, and "Minstrel Days," cavalcade of the show world to be directed by Jean Negulesco. Norman Moray, sales manager of the shorts department, will come to Hollywood in November to plan the next season's program.

35 New Films Now Shooting; Finish Seven

Hollywood, Oct. 22.—Thirty-five pictures were before the cameras this week as seven were finished and eight started. Fifteen are being prepared and 71 are being edited.

The tally by studio:

Columbia

In Work: "This Thing Called Love," "Legacy," "Across the Sierras," "The Phantom Submarine."
Started: "Penny Serenade."

Korda

In Work: "Lady Hamilton."

Loew-Lewin

In Work: "Flotsam."

M-G-M

Finished: "Flight Command," "Comrade X."
In Work: "Come Live with Me."
Started: "Keeping Company," "Maisie Was a Lady," "Wild Man of Borneo," untitled Spencer Tracy vehicle.

Paramount

Finished: "Doomed Caravan."
In Work: "I Wanted Wings," "Shepherd of the Hills," "Reaching for the Sun," "You're the One."
Started: "In Old Colorado."

RKO

Finished: "You'll Find Out."
In Work: "Citizen Kane," "Kitty Foyle," "Mr. and Mrs. Smith," "Let's Make Music," "Playgirl," "Three Girls and a Gob."

Republic

Finished: "Border Legion."
In Work: "The Mysterious Dr. Satan," "Barnyard Follies."

Rowland

In Work: "Cheers for Miss Bishop."

20th Century-Fox

Finished: "Tin Pan Alley."
In Work: "Western Union."

Universal

In Work: "The Bank Dick," "Trail of the Vigilantes," "The Invisible Woman."

Warners

Finished: "South of Suez."
In Work: "Carnival," "She Couldn't Say No," "Trial and Error."

Para. Executives To Chicago Today

(*Continued from page 1*)

Neil F. Agnew, Charles Reagan and Robert M. Gillham.

The Hollywood group at the opening will include De Mille, Gary Cooper, Madeleine Carroll, Paulette Goddard, Preston Foster, Robert Preston and Lynne Overman. De Mille will be the chief speaker at the annual banquet of the State Street Council at Chicago's Palmer House tonight as part of the three-day celebration in conjunction with the opening.

Y. Frank Freeman arrives in Chicago from the studio today.

Edwin Triebel Dies

Hamilton, O., Oct. 22.—Edwin C. Triebel, 35, who formerly operated the Pastime, at Maysville, Ky., for a number of years, is dead there after a four-day illness. His father, a brother and a sister survive.

'Rockne' Gets Loop Ribbon With $44,000

CHICAGO, Oct. 22.—"Knute Rockne—All American," at the Chicago Theatre with Jimmy Dorsey and his band drew an excellent $44,000. "They Knew What They Wanted" and "Spitfire Out West" took $17,000 at the Palace.

Estimated takings for the week ending Oct. 18:

"The Westerner" (U. A.)
APOLLO—(1,400) (35c-55c-75c) 7 days. Gross: $6,000. (Average, $6,500)
"Knute Rockne—All-American" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Jimmy Dorsey and band. Gross: $44,000. (Average, $32,000)
"No Time for Comedy" (W. B.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $4,200. (Average, $5,000)
"I Found My Love Again" (M-G-M)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: "Uncle Walters Dog House." Gross: $13,000. (Average, $13,000)
"They Knew What They Wanted" (RKO)
"Spitfire Out West" (RKO)
PALACE—(2,500) (35c-40c-60c) 7 days. Gross: $17,000. (Average, $13,000)
"Down Argentine Way" (20th-Fox)
ROOSEVELT—(1,500) (25c-55c-75c) 7 days. Gross: $10,000. (Average, $11,000)
"Gold Rush Maisie" (M-G-M)
STATE-LAKE—(2,700) (25c-40c) 7 days. Stage: Edmund Lowe, Ann Dvorak, Carole Landis. Gross: $18,000. (Average, $15,000)
"Strike Up the Band" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $15,000. (Average, $14,000)
"Gone With the Wind" (M-G-M)
WOODS—(1,100) (75c-$1.10-$1.50) 7 days, 38th week. Gross: $6,500.

'Correspondent' at $16,500 in Detroit

DETROIT, Oct. 22.—"Foreign Correspondent" and "The Quarterback" grossed $16,500 at the Michigan, while the Fox reported $15,000 for "They Knew What They Wanted" and "The Great Profile."

Estimated takings for the week ending Oct. 17:

"Argentine Nights" (Univ.)
"The Mummy's Hand" (Univ.)
ADAMS—(1,600) (15c-50c) 7 days. Gross: $4,800. (Average, $5,000)
"I Want a Divorce" (Para.)
"My Love Came Back" (W. B.)
FISHER—(2,700) (15c-50c) 7 days. Gross: $6,000. (Average, $7,000)
"They Knew What They Wanted" (RKO)
"The Great Profile" (20th-Fox)
FOX—(5,000) (15c-55c-65c) 7 days. Gross: $15,000. (Average, $15,000)
"Foreign Correspondent" (U. A.)
"The Quarterback" (Para.)
MICHIGAN—(4,000) (15c-55c-65c) 7 days. Gross: $16,500. (Average, $12,000)
"Lucky Partners" (RKO)
"Rangers of Fortune" (Para.)
PALMS—(2,000) (15c-39c-55c) 7 days. Gross: $6,500. (Average, $7,000)
"Strike Up the Band" (M-G-M)
"Cross Country Romance" (RKO)
UNITED ARTISTS—(3,000) (20c-50c-75c) 7 days, 3rd week. Gross: $7,000. (Average, $10,000)

Ford Quits Pyramid To Join Producers

HOLLYWOOD, Oct. 22.—Charles E. Ford has disposed of his interest in Pyramid Productions and joined Producers Corp. of America as general manager. The former Universal Newsreel head organized Pyramid with Jerry Brandt.

His first duties in his new post will be to line up a production staff for "Kingdom Come," starring John Charles Thomas, according to Sigmund Schlager, president.

'Rockne' Scores $14,500, St. Louis

ST. LOUIS, Oct. 22.—Local theatres enjoyed their best business in many months. "Knute-Rockne—All American" at the Fox drew $14,500, "The Great Profile," with Phil Spitalny's band at the Missouri took $13,000.

Estimated takings for week ending Oct. 17:

"Down Argentine Way" (20th-Fox)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $11,500. (Average, $11,500)
"Knute Rockne—All American" (W. B.)
"The Gay Caballero" (20th-Fox)
FOX—(5,038) (28c-39c-44c-56c) 7 days. Gross: $14,500. (Average, $11,000)
"The Westerner" (U. A.)
"Military Academy" (Col.)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $12,500. (Average, $13,000)
"The Great Profile" (RKO)
MISSOURI — (3,514) (28c-39c-44c-56c) Phil Spitalny and band on stage, 7 days. Gross: $13,000. (Average, $4,000)
"Diamond Frontier" (Univ.)
"I'm Nobody's Sweetheart" (Col.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $2,600. (Average, $2,600)

Ascap Briefs Due In Seattle Monday

Briefs in support of Ascap's motion for a permanent injunction restraining the state of Washington from enforcing its anti-Ascap law will be filed in Federal court at Seattle on Monday by Schwartz & Frohlich, counsel for the music licensing society.

The state has until Monday, also, to file briefs opposing the Ascap motion and both sides have 10 days thereafter in which to file reply briefs.

Grant Plea for Bill Is 'Nation' Action

BUFFALO, Oct. 22.—Epoch Producing Corp. of New York, and Thomas Dixon of Raleigh, N. C., author of "The Clansman," today were granted a bill of particulars by Federal Judge John Knight, directing Charles H. Tarbox to furnish details of how he came into possession of copies of the film, "Birth of a Nation." Tarbox, defendant in the action, claims to have acquired rights to the picture.

Final Kent Drive Meets Start Nov. 1

The third and final series of S. R. Kent Drive meetings at 20th Century-Fox branches will start Nov. 1 with a session at the Los Angeles exchange. M. A. Levy, Minneapolis branch manager and leader of the drive, will conduct the meetings with division managers in their respective territories.

Board Meets in November

The annual conference of the National Board of Review will be held Nov. 14, 15 and 16 at the Hotel Pennsylvania, with representatives of affiliated groups throughout the country attending. The meeting usually is held in February each year.

Remove 'Wives' Ban

The New York censor board has lifted its ban on the Czechoslovak film, "The Merry Wives," distributed here by Edgar E. Lloyd. A license for exhibition of the film was refused last Spring.

For Defense

Jon Hall passed his examination and was admitted to membership here yesterday in the U. S. Power Squadron, an organization of private power boat owners which has the status of a U. S. Navy auxiliary. Its members are subject to call during the emergency. George Weltner, Paramount assistant foreign manager, also is a member.

'Rockne' Pittsburgh Smash at $23,500

PITTSBURGH, Oct. 22. — Extra exploitation and school closing for conscription registration day helped theatres to one of the best weeks in several months. "Knute Rockne" led with $23,500 at the Stanley. "Pastor Hall" drew $5,300, better than average, at the Fulton.

Estimated takings for the week ending Oct. 17:

"Hired Wife" (Univ.)
ALVIN—(1,800) (28c-39c-55c) 7 days, 2nd week. Gross: $7,200. (Average, $7,000)
"Pastor Hall" (U. A.)
FULTON—(1,700) (28c-44c) 7 days. Gross: $5,300. (Average, $5,000)
"Rangers of Fortune" (Para.)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $10,000. (Average, $13,000)
"Strike Up the Band" (M-G-M)
RITZ—(800) (28c-39c-55c) 7 days, 3rd week. Gross: $3,500. (Average, $3,000)
"Knute Rockne—All American" (W. B.)
STANLEY—(3,600) (28c-39c-55c) 7 days. Gross: $23,500. (Average, $13,000)
"City for Conquest" (W. B.)
WARNER—(2,000) (28c-39c-55c) 7 days, 2nd week. Gross: $5,000. (Average, $5,000)

'Wanted' Hits Good $19,000, Frisco's High

SAN FRANCISCO, Oct. 22.—Aided by the personal appearance of Charles Laughton, "They Knew What They Wanted" drew $19,000 at the Golden Gate. "Knute Rockne—All American" with "Girl from Havana" at the Fox drew $17,500.

Estimated takings for the week ending Oct. 15-18:

"They Knew What They Wanted" (RKO)
GOLDEN GATE—2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $19,000. (Average, $15,000)
"Knute Rockne—All-American" (W. B.)
"Girl from Havana" (Rep.)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $17,500. (Average, $16,000)
"Hired Wife" (Univ.)
"So You Won't Talk?" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-50c, 7 days, 2nd week.) Gross: $7,200 (Average, $8,000)
"Strike Up the Band" (M-G-M)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $10,000. (Average, $11,500)
"Foreign Correspondent" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 5th week. Gross: $5,500. (Average, $8,000)
"City For Conquest" (W. B.)
"The Gay Caballero" (20th-Fox)
ST. FRANCIS—(1.400) (25c-35c-40c-50c) 7 days, 2nd week. Gross: $5,300. (Average, $6,000)
"No Time for Comedy" (W. B.)
"Queen of the Yukon" (Mono.)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days. Gross: $11,500. (Average, $12,000)
"Song of the Road" (Select)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $800. (Average, $1,000)

This is Conchita...



..on tropical waterfronts she made lonely men like Oley forget briefly the lure of home.

CONCHITA, played by Carmen Morales, is one of the unforgettable characters in JOHN FORD'S production of Eugene O'Neill's "THE LONG VOYAGE HOME" which Eileen Creelman, reviewer on the New York Sun, recommends to other women as "a milestone in the history of Hollywood."

'Wanted' Hits $17,500 to Top Hub Grosses

BOSTON, Oct. 22.—"They Knew What They Wanted" and "The Great Profile" scored $17,500 at the Keith Memorial. "Strike Up the Band" and "The Secret Seven" in the second week tallied $13,500 at Loew's State and $16,000 at Loew's Orpheum.

Estimated takings for the week ending Oct. 16:

"Diamond Frontier" (Univ.)
KEITH BOSTON—(3,200) (25c-35c-40c-55c) 7 days, Sammy Kaye orchestra and stage revue. Gross: $8,500. (Average, $8,000)

"They Knew What they Wanted" (RKO)
"The Great Profile" (20th-Fox)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $$17,500. (Average, $16,000)

"Down Argentine Way" (20th-Fox)
"Sky Murder" (M-G-M)
METROPOLITAN—(4,367) (25c-35c-40c-55c) 7 days. Gross: $14,000. (Average, $15,500)

"Wyoming" (M-G-M)
"Dr. Kildare Goes Home" (M-G-M)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $7,500. (Average, $7,500)

"Wyoming" (M-G-M)
"Dr. Kildare Goes Home" (M-G-M)
FENWAY—(1,320) (25c-35c-40c-55c) 7 days. Gross: $5,800. (Average, $4,500)

"Brigham Young—Frontiersman" (20th-Fox)
"One Crowded Night" (RKO)
SCOLLAY—(2,500) (25c-44c-55c) 7 days. Gross: $1,600. (Average, $4,000)

"Strike Up the Band" (M-G-M)
"The Secret Seven" (Col.)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $13,500. (Average, $12,000)

"Strike Up the Band" (M-G-M)
"The Secret Seven" (Col.)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $16,000. (Average, $17,500)

'Rockne' at $11,500 Providence Smash

PROVIDENCE, Oct. 22.—"Knute Rockne—All American," paired with "Pier 13" at the Majestic, did $11,500, best business in months.

Estimated takings for the week ending Oct. 16-17:

"Argentine Nights" (Univ.)
"Diamond Frontier" (Univ.)
RKO-ALBEE — (2,239) (28c-39c-50c) 7 days. Gross: $6,100. (Average, $6,000)

"Third Finger, Left Hand" (M-G-M)
"Glamour for Sale" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $11,000. (Average, $11,000)

"Knute Rockne—All-American" (W. B.)
"Pier 13" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $11,500. (Average, $7,000)

"Angels Over Broadway" (Col.)
"Sing, Dance, Plenty Hot" (Rep.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $4,500. (Average, $6,000)

"The Westerner" (U. A.)
"Sky Murder" (M-G-M)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $2,700. (Average $3,500)

"Millionaires in Prison" (RKO)
METROPOLITAN—(3,045) (28c-39c-55c-75c) 3 days. Stage show with Glen Gray and orchestra, Dinah Shore, Wally Brown, the Stanley Sisters. Gross: $5,500. (Average, $7,500)

"The Leather Pushers" (Univ.)
"Thundering Frontier" (Col.)
FAY'S—(1,800) (15c-28c-39c) 7 days. Gross: $2,300. (Average, $2,500)

"Lucky Partners" (RKO) (3 days)
"The Lady in Question" (Col.) (3 days)
"When the Daltons Rode" (Univ.) (4 days)
"Young People" (20th-Fox) (4 days)
EMPIRE—(2,200) (20c-28c) 2nd run. Gross: $1,700. (Average, $1,700)

Critics' Quotes . . .

"KNUTE ROCKNE—ALL AMERICAN" (Warners)

Handsome, human tribute is paid Knute Rockne in the screen biography Warner Brothers have so brilliantly fashioned and in which Pat O'Brien gives a superb performance.—*Mildred Martin, Philadelphia Inquirer.*

Should appeal even to those who can't tell a forward pass from a left tackle—a lively action film and a nostalgic story of a colorful personality.—*Elsie Finn, Philadelphia Record.*

The cinema's most ambitious football film. . . . In 1940, spectators with weightier matters on their minds may have a hard time taking seriously for an hour and thirty-eight minutes the Warners solemn anxieties about the South Bend ball club.—*Time.*

It is quite likely the best football picture ever made—that, and something more . . . a worthy memorial and of more general appeal than you might expect.—*John K. Kutchens, Boston Evening Transcript.*

An honest, vigorous movie that possesses a sense of authenticity in every frame.—*Garrett D. Byrnes, Providence Journal.*

"THEY KNEW WHAT THEY WANTED" (RKO)

This story of simple people in the California grape country is a quiet and moving character study, excellently acted by a fine cast.—*Newsweek.*

The drama itself was valid. It needed, to touch it off into the memorable, exactly what it got. That is, truth, beauty, humor, sentiment, taste and acting form a good collaboration.—*Cecelia Ager, PM (New York)*

Mr. Laughton has let himself go just a bit too far in this film and the consequence is that he gives little more than an actor's expansive imitation of a big dummy with a thick Italian accent.—*Bosley Crowther, New York Times.*

A warmly human drama, a picture that will remain in your mind and your heart for a long, long time. . . . Nor is it likely that a picture as rich as this in human nature comes along for many months at least.—*Eileen Creelman, New York Sun.*

A perfect example of balanced cinema collaboration . . . credit the photoplay with adult, humanitarian instincts and excellent generalship in its composition.—*Henry T. Murdock, Philadelphia Public Ledger.*

An absorbing and moving screen version of the Pulitzer Prize play . . . dialogue is both poetically beautiful and real.—*Laura Lee, Philadelphia Bulletin.*

"SPRING PARADE" (Universal)

A gay and enchanting little Cinderella trifle—a bubbling and bright fairy tale of romance in the wonderland which was Vienna in 1896. . . . Miss Durbin is a delight both in her acting and her singing, and there are many fine performances.—*William Boehnel, New York World-Telegram.*

So Miss Durbin's sweetness has charm, and "Spring Parade's" sweetness has charm. It doesn't shed a tear for old Vienna; it waltzes for it. A light and easy waltz.—*Cecelia Ager, PM (New York).*

Her (Deanna Durbin) latest vehicle is far from her best . . . in general it is a dull entertainment.—*Howard Barnes, New York Herald Tribune.*

Deanna Durbin and Robert Cummings, as young, gay, irresponsible sweethearts, make a fascinating combination.—*Boston Daily Globe.*

It's a picture you'd better see, especially if you care for Deanna Durbin and fairy tales well told.—*Garrett D. Byrnes, Providence Journal.*

"ARISE MY LOVE" (Paramount)

An engrossing melodrama, with sentiment and humor liberally interspersed . . . there is bound to be a trebled and quadrupled reaction of interest and popular absorption . . . a winner.—*Edwin Schallert, Los Angeles Times.*

One of the gayest and most satisfying comedies of the year. . . . The comedy is fresh and incisive. . . . Miss Colbert and Ray Milland are engaging, funny and appealing throughout the work.—*Howard Barnes, New York Herald Tribune.*

A joy to behold . . . we predict success for this delightful film. . . . Mitchell Leisen has given the picture a pace that is beautifully sustained from beginning to end.—*Kate Cameron, New York Daily News.*

A picture that should smash box-office records . . . a skillfully told and acted melodrama, replete with romance, gaiety, excitement, swell gags and sparkling dialogue.—*Lee Mortimer, New York Daily Mirror.*

A sobering elaboration upon the themes of romance and war . . . a synthetic picture which attempts to give consequence to a pleasant April-in-Paris romance by involving it in the realities of war.—*Bosley Crowther, New York Times.*

"THE LONG VOYAGE HOME" (Wanger-U.A.)

Tops any production ever turned out by Wanger and is, I believe, John Ford's pictorial masterpiece . . . a picture that cannot be missed by discriminating picture-goers.—*Kate Cameron, New York Daily News.*

The dialogue is literate, the atmosphere is effective and the pace is well sustained. It's an interesting production.—*Rose Pelswick, New York Journal American.*

One of the most beautiful and stirring films I have ever seen. . . . Never, I think, has John Ford done a finer piece of direction . . . the acting is appropriate to the brilliance of the direction.—*William Boehnel, New York World-Telegram.*

Mr. Ford easily wins praise for his contribution from an artistic and clever standpoint. Whether this particular type of motion picture will prove popular with the average audience is something yet to be proven.—*Jimmy Starr, Los Angeles Herald and Express.*

Philadelphia Gives $18,800 To 'Argentine'

PHILADELPHIA, Oct. 22.—Good weather and the Columbus Day holiday kept grosses at high levels. "Down Argentine Way" at the Stanley drew $18,800, while "Scatterbrain" at the Earle, aided by George White's "Scandals" on the stage, tallied $25,700. "Angels Over Broadway" at the Aldine brought $13,600.

Estimated takings for the week ending Oct. 16-18:

"Angels Over Broadway" (Col.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days. Gross: $13,600. (Average, $9,000)

"Boom Town" (M-G-M)
ARCADIA — (600) (45c-55c-65c) 7 days, 2nd week, 3rd run. Gross: $4,400. (Average, $2,600)

"Strike Up the Band" (M-G-M)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days, 3rd week. Gross: $10,800. (Average, $13,000)

"Scatterbrain" (Rep.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including George White's "Scandals" featuring Ben Blue. Gross: $25,700. (Average, $14,000)

"Cross Country Romance" (RKO)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days with vaudeville including Patricia Joyce, Nora Ford, Benny Ross & Maxine Stone, Al Ruskin & Ruth Norman, Andy Mayo and Pansy the Horse, Goodrich & Nelson, Abbott & Adams. Gross: $7,000. (Average, $6,900)

"Knute Rockne—All American" (W. B.)
FOX—(3,000) (35c-41c-57c-68c) 7 days, 2nd week. Gross: $12,300. (Average, $13,000)

"Dulcy" (M-G-M)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,500. (Average, $3,000)

"The Westerner" (U. A.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,400. (Average, $4,500)

"Down Argentine Way" (20th-Fox)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $18,800. (Average, $14,000)

"Dance, Girl, Dance" (RKO)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $4,900. (Average, $4,500)

Kansas City Gives 'Rockne' Big $9,500

KANSAS CITY, Oct. 22. — "Down Argentine Way" took $6,800 at the Esquire and Uptown, $3,100 at the former and $3,700 at the latter. "Knute Rockne—All American" gave the Newman $9,500. "Third Finger, Left Hand" and "Glamour for Sale" at Loew's Midland took $10,300.

Estimated takings for the week ending Oct. 15-17:

"Down Argentine Way" (20th-Fox)
ESQUIRE—(800) (28c-44c) 7 days. Gross: $3,100. (Average, $2,200)

"Third Finger, Left Hand" (M-G-M)
"Glamour For Sale" (Col.)
MIDLAND—(4,000) (28c-44c) 7 days. Gross: $10,300. (Average, $9,500)

"Knute Rockne—All American" (W. B.)
NEWMAN—(1,900) (28c-44c) 7 days. Gross: $9,500. (Average, $7,000)

"Pastor Hall" (U. A.)
"River's End" (W. B.)
ORPHEUM—(1,500) (28c-44c) 7 days. Gross: $4,000. (Average, $5,000)

"Margie" (Univ.)
TOWER—(2,200) (30c) 7 days. Stage: Don Zelaya, Gilbert & Carroll, The Littlejohns. Gross: $4,700. (Average, $6,000)

"Down Argentine Way" (20th-Fox)
UPTOWN — (2,000) (28c-44c) 7 days. Gross: $3,700. (Average, $3,000)

Bausch & Lomb Profit

ROCHESTER, Oct. 22.—Net profit of $1,369,575 has been reported by the Bausch & Lomb Optical Co. for the first nine months of 1940. Profit for the similar period last year was $1,133,899.



THE WHISPERING CAMPAIGN! Listen!

"I see that the Gem Theatre is sponsoring the Red Cross Drive."

"They always are ready to cooperate on such things . . . I like their community spirit."

"*There's no collection in the theatre.* They show a short but marvelous Red Cross picture."

"It made me join the Red Cross, and also made me a steady customer of the Gem Theatre."



Mr. Exhibitor, when the Red Cross Membership Drive starts on Nov. 11th, be proud that you're part of the industry-wide effort to make this truly American enterprise the biggest success of all time.

This Space Contributed by
MOTION PICTURE DAILY

Independent Broadcasters Support BMI

Complete endorsement of the work of Broadcast Music, Inc., and a demand that Ascap submit a contract which provides for payment for actual use of Ascap music on a performance basis only, was voted at the concluding session of a two-day meeting of National Independent Broadcasters at the Waldorf-Astoria yesterday.

All officers were reelected to serve until the next annual meeting of the National Association of Broadcasters, at which time N.I.B. will hold a new election. Those named to succeed themselves were Harold A. Lafount, president; Edward A. Allen, vice-president; Lloyd C. Thomas, secretary-treasurer; and Andrew W. Bennett, counsel. Lafount will shortly appoint an executive secretary to handle the detail work and Washington activities.

During the meeting, problems relating to the low-powered stations in secondary marketing areas were considered. At the conclusion, there was unanimous agreement that N.I.B. served as a useful clearing house for common problems and that the organization should be continued.

10 New Companies Formed in Albany

ALBANY, Oct. 22.—Ten companies in the film business have been incorporated here recently.

They include: F. H. R. C. Theatrical Enterprises, Inc., Syracuse, by Florence and Reuben Canter and Ann Steinberg; Arpee Amusement Corp., New York, by Lee Rothberg, Philip Rodsky and F. T. Flohr; Trans-Oceanic Film Export Co., New York, by Harry G. Kosch, Arthur Sanchez and Jean Sikoff; Floyd Zimmerman, Inc., New York, by Floyd Zimmerman, Walter R. DeVivo and A. K. Ackerson; The F. S. K. Corp., New York, by Vinton Freedly, Richard Krakeur and W. Horace Schmidlapp; E. T. G. Corp., New York, by Loretta Gorman, Sally Jacobs and Dorothy Weinberger; Stonral Corp., New York, by W. Herbert Adams, Jane Steinger and Ralph Stone; Brookside Films, Inc., New York, by E. J. Sachs, Max Kohn and Sharon Kahn; S. & S. Amusement Corp., New York, by Herman Savage, Harvey A. Tave and Joseph Seidman; Star Amusement Co., Inc., New York, by Jonas Gutchin, Jacob Rolnick and Marie DiNapoli.

NBC Television Will Be Resumed Friday

(*Continued from page* 1)

said Dr. Alfred H. Morton, vice-president in charge of television.

W2XBS went off the air Aug. 1 in order to adjust its transmitter to the new frequency assignment made necessary by the FCC's grant of the old television channel number one to FM stations. The NTSC is expected to bring in recommendations for television standards before Jan. 1. Most television observers do not believe that there will be much activity in television before the final report is made.

Off the Antenna

RESIDENTS of Alaska will soon be able to hear some of the big network programs, according to C. B. Arnold, manager of KINY, Juneau. Kraft has been shipping transcriptions of the "Kraft Music Hall" show to KINY since May, Arnold reports, and Lipton's Tea is soon to start sending transcriptions of the "Helen Hayes Theatre." Similar deals are pending including Jack Benny and Kate Smith and they mean a great deal to Alaskans, Arnold says.

Reception from the States depends considerably on weather conditions and it is rarely possible to get a complete show satisfactorily, he points out. Reception from the States is possible only at night, even in its garbled condition, and it does not get dark in Alaska until 11 P.M. during the Summer, says Arnold.

Broadcasting is different in Alaska. Frequently, there is no communication between two towns and radio stations are called upon to broadcast emergency calls, everything from childbirth to shipwrecks, says Arnold.

The Alaskan Indians refused to take radio seriously for many years, according to Arnold, and they kept insisting that radio was nothing but a tricky phonograph until the Thlinget Indians put on a ceremonial dance accompanied by whatever constitutes the Thlinget language. Since then, Arnold says, they are steady listeners.

There are about 30 national advertisers who use the four Alaskan stations, Arnold reports. While declining to state that Alaskan broadcasting would make one wealthy overnight, Arnold discloses that KINY is built on a gold mine and he is not sure when the ground will be cut away from under him. Anyway, he has just built new studios in downtown Juneau and they will be opened next week. Really the last word in studios, according to Arnold.

• • •

Program News: *"Meet Mr. Morgan" is now doing a repeat of his WOR show at 7:15 P.M. for the entire Mutual network. . . . Proctor & Gamble has brought the "Lone Journey" network up to 45 stations on NBC-Red. . . . P. & G. has also started experimenting with an evening spot over WOR for a transcription of "Life Can Be Beautiful." Although the evening transcriptions have been used over WMCA, this is the first time it is being tried on a 50,000-watt station here.*

• • •

Mrs. Sime Silverman may soon be on the air. Recent auditions by WHN and WNEW are being commented upon enthusiastically by station officials.

• • •

Fresh from the successful broadcasting of the World Series, Mutual announced yesterday that it had obtained exclusive rights for the play-by-play description of the National Professional Football League championships to be played Sunday, Dec. 8. Gillette Safety Razor Co., which also sponsored the World Series, will sponsor the football broadcast, This will mark the first time that the football championships are commercially sponsored. Mutual, which says it will line up at least 100 stations, has an option for the 1941 series. The price paid was not disclosed.

• • •

Film Players on the Air: *Tyrone Power will be heard in a radio preview of "The Mark of Zorro" from Cincinnati on the CBS Kate Smith show Friday, Nov. 1, at 8 P.M. . . . Joan Blondell is now heard on "I Want a Divorce" over Mutual Fridays at 9:30 P.M. . . . Douglas Fairbanks, Jr., will be guest on the "Silver Theatre" over CBS Sunday at 6 P.M. . . . Bob Burns, Dorothy Lamour, Walter Brennan, Bonita Granville, Jackie Cooper and Richard Bonelli will be heard on "Kraft Music Hall" over NBC-Red tomorrow at 9 P.M. . . . Jean Arthur and Walter Pidgeon will co-star on "Screen Guild Theatre" over CBS Sunday at 7:30 P.M. . . . Mickey Rooney and Judy Garland will be guests on "Lux Radio Theatre" Monday at 9 P.M. over CBS in a dramatization of "Strike Up the Band." . . . Joan Bennett will be guest on "Lincoln Highway" over NBC-Red Saturday at 10 A.M. . . . Joan Crawford will be heard on "Everyman's Theatre" over NBC-Red, Friday, Nov. 1 at 9:30 P.M.*

• • •

So great has been the public response to the appearance of Lynn Fontanne over NBC-Blue on Sunday, Oct. 13, that the network has decided to repeat the program this Sunday at 8 P. M. Alfred Lunt will introduce her again and Frank Black will conduct a symphony orchestra for the musical part of the program.

• • •

Purely Personal: Gerald A. Vernon of the NBC research department has been transferred to sales promotion in the central division. . . . Lewis Allen Weiss, head of Don Lee, will open the two-day convention of the Pacific Council of the American Association of Advertising Agencies tomorrow with a discussion of "The Wrong and Right Way to Sell Radio."

Editors Guild to Meet

The Motion Picture Film Editors Guild will hold its regular meetings on the last Friday of each month instead of the last Tuesday. The next will be at the Hotel Capitol this Friday.

Club Nominations Nov. 14

PHILADELPHIA, Oct. 22.—Nominations of officers of the Philadelphia Variety Club for the new year will be held on Nov. 14.

Equity Refers TAC Matter to Lawyers

Actors Equity Council yesterday discussed information received that at least three theatrical managers had posted notices that no members of the Theatrical Arts Committee (TAC) need apply for work. The council referred the matter to Equity's legal department, and a report will be made at a meeting of the council next Tuesday.

Theatre Changes

Pawtucket House Ready Soon

PAWTUCKET, R. I., Oct. 22.—The Fairlawn, reconstructed from the old Fairlawn Skating Gardens, will open about Nov. 10, according to Thomas K. Fisher, treasurer of Fairlawn Enterprise, Inc., owner. The theatre, seating 952, will be leased and operated by Strand Theatres, Inc., Boston.

To Start $200,000 House

WILMINGTON, Del., Oct. 22.—Work on the new $200,000, 800-seat Edge Moor Theatre will begin shortly and is expected to be completed by Feb. 1. The theatre has been leased to the Edge Moor Theatre Co., of which Albert J. Fischer, Jr., is president.

Will Open Theatre Dec. 1

KANSAS CITY, Oct. 22.—The new 560-seat theatre being built in Ottawa, Kan., by E. Van Hyning is expected to open about Dec. 1. The theatre, as yet unnamed, will play second run pictures at 10 and 15 cents on a double bill policy.

Plan W. Virginia Theatre

KANAWHA CITY, W. Va., Oct. 22. —W. P. Black and A. Bliss McCrum have started construction of a new theatre here, to cost $50,000 and seat 600. John B. Gardner, now manager of a theatre in South Charleston, has leased the new house for 10 years.

Leases Iowa Theatre

ESTHERVILLE, Ia., Oct. 22.—Forrest Leggate of Dayton, Ia., has leased the Hollywood at Estherville, Ia., closed the past few months. The house has reopened.

Resumes Operation of House

AFTON, Ia., Oct. 22. — Leo Schneider, who sold the Paris here about 18 months ago, has returned and taken over the management. He has reconditioned the theatre.

Houston Theatre Nearly Ready

HOUSTON, Tex., Oct. 22.—Construction on the new Lindale here, being erected at a cost of $50,000 by the O. K. Theatre Corp., is moving rapidly, according to Oscar Korn, head of the corporation. The house seats 900

Altec Deals Closed

Altec Service Corp. has closed renewal deals with Frank Merritt for six houses in Alabama; the Hamrick, Cheraw, S. C., and set a new deal for the new 900-seat Charles in Montgomery, Ala.

Open Conn. House Soon

NEW HAVEN, Oct. 22.—Work is nearing completion on the 732-seat Westville in Bailey, Conn., to be opened early in November.

Open Comerford House Soon

BLOOMSBURG, Pa., Oct. 22.—Construction of the new Comerford Columbia Theatre here is nearly completed. It is expected the theatre will open in a few weeks.

Start Vaudeville Shows

HAZLETON, Pa., Oct. 22.—Repairs have been completed at the Feeley Theatre for the inauguration of twice weekly vaudeville.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 82 NEW YORK, U. S. A., THURSDAY, OCTOBER 24, 1940 TEN CENTS

FILE COPY DO NOT REMOVE

Allied Reverses Myers On Consent Decree Stand

Board Votes to Oppose N. Y. Suit Settlement At Meeting in Pittsburgh and Lines Up With Other Protesting Exhibitors

PITTSBURGH, Oct. 23.—Allied States today swung over to the exhibitor side opposed to the Federal consent decree by a vote of its national board of directors at the closing session of a three-day meeting here. Col. H. A. Cole, president of Allied, made the announcement of the national body's stand immediately following the close of the meeting.

The action was a repudiation of the stand taken earlier by Abram F. Myers, general counsel and chairman of the national board, who presided at the meeting. Myers gave the decree his qualified approval at the annual convention of Allied of New Jersey at Atlantic City late last month. Asserting then that the decree was not all that could be desired, Myers urged the exhibitors to give it a trial and await the outcome. The New Jersey convention subsequently adopted a resolution approving Myers' views.



H. A. Cole

The board instructed Myers, as its general counsel, "to file a brief or make a personal appearance, if permitted by the court, in opposi-

(Continued on page 4)

Ireland Alone

Hollywood, Oct. 23

IRELAND is not part of Great Britain and its possessions and therefore a separate accounting for that country must be made for the distribution of "The Soldier and the Lady," Superior Judge Clement D. Nye ruled here today. The decision was on the claim of Joseph N. Ermolieff, against RKO, that he had a contract giving him a share of the profits for the remake of "Michael Strogoff," which he produced in Europe.

Hays to Meet Kennedy on British Pact

Will H. Hays, M.P.P.D.A. head, will endeavor to arrange a meeting with Ambassador Joseph P. Kennedy on the latter's arrival from London within the next few days for the purpose of discussing and possibly deciding on acceptance or rejection of British proposals for a new currency withdrawal agreement with that nation.

The new British proposal, scheduled to become effective next Thursday, calls for a reduction of about one-third in the amount authorized for withdrawal from England by the American companies during the past 12 months.

Seven companies, comprising all the major distributors except Universal, which made a separate agreement last year, were allocated $35,000,000, of which half was blocked

(Continued on page 4)

Publicity Unit Closed Shop Sought Here

Wage Scale Ranges Up To $125 Weekly

The New York Screen Publicists Guild will seek a closed shop in home offices, it was learned yesterday. Wage scales to be asked were reported to begin at $40 weekly for apprentices, $75 for juniors and $125 for seniors, but an S.P.G. spokesman declared that this matter was still under consideration. Joseph Gould of United Artists is president of the guild.

Contract terms to be presented generally will be similar to those in effect under the Hollywood S.P.G. agreement, it was said.

The Guild is now engaged in classifying the advertising and publicity employes, and members in each office have been asked to make the classifications on the basis of the duties and length of service.

There will be sub-classifications in each group, it was said, but no automatic provision for promotion from junior to senior. Classification as a senior will depend on the duties performed. Until it can be determined how many employes in each company fall into the various categories, no

(Continued on page 4)

RKO Gets 'Convoy' For Release in U. S.

RKO will distribute in the United States and Latin America the English film, "Convoy," produced by Michael Balcon for Associated British Film Distributors. The deal with RKO was closed here by Arthur Lee. The feature stars Clive Brook and John Clements, and was directed by Pen Tennyson. It will be distributed in Canada by N. L. Nathanson.

Strike Threatened In Mexican Radio

Mexico City, Oct. 23.—A strike of practically all radio station employes in Mexico has been ordered to start Oct. 28 by the National Electrical Workers' Federation, unless the Federal Government ends by that date the electricians' strike at Monterrey, northwestern industrial center.

Rockefeller Lauds Films' Aid in Pan-America Drive

"The motion picture industry has been most responsive to our invitation to cooperate," Nelson A. Rockefeller, coordinator of commercial and cultural relations between the American republics for the National Defense Council, told the 10th annual New York *Herald-Tribune* Forum on Current Problems at the Waldorf-Astoria yesterday.

Rockefeller pointed to the dangers of propaganda films from foreign powers when shown in Latin America and asserted that "we must increasingly use the radio, the press and the cinema to promote a more effective interchange of the finest in the thought and action of both continents."

Robert Montgomery, discussing "The Responsibility of the Motion Picture Industry," declared that in the present world crisis the responsibility is threefold—"entertainment, education and propaganda."

"A film made purely for the purpose of propaganda fails in its purpose," Montgomery continued. "An entertaining film made for the purpose of propaganda will accomplish its purpose." Montgomery said he felt it "would be difficult" under the industry's present leadership for the industry to perform its threefold "functions."

"I believe we can go so far as to say that any resemblance between the motion picture industry and creative art is purely coincidental," Montgomery declared. "No man or group of men has the right to place himself in complete control of any medium as powerful as that of the motion picture."

Montgomery left for the Coast last night by plane.

9,000 Houses to Aid Red Cross Campaign

A total of between 8,000 and 9,000 theatres in the country are expected to participate in the annual Red Cross drive which will start Nov. 11.

The theatres are expected to use the campaign outlined by the campaign committee. This will include lobby decorations supplied by the Red Cross, show the 400-foot Red Cross short supplied by the film industry and the trailer made by the Red Cross, station uniformed Red Cross workers in the lobby, and generally publicize the campaign.

Columbia Meets in Capital Saturday

Abe Montague, Columbia general sales manager, and Rube Jackter, assistant sales manager, will conduct a meeting of the company's Mideast sales forces at the Mayflower Hotel, Washington, on Saturday. Branches under Sam Galanty, division manager, represented at the meeting will include Cincinnati, Cleveland, Pittsburgh and Washington. Sales and exhibition plans for "Arizona" and discussions of forthcoming Columbia product will occupy the meeting.

'Tropics' Premiere To Be in Paterson

Paterson, N. J., will have the world premiere of Universal's "Moonlight in the Tropics" next Wednesday because Lou Costello, comedian featured in the film, is a home town boy. The premiere will be at the Fabian Theatre, in conjunction with personal appearances, and the proceeds will be given to the local Community Chest and St. Anthony's Church, which is to be rebuilt. There will also be a parade. Mayor William Furrey has declared a school half holiday.

Two Studios' Office Workers Elect Guild

HOLLYWOOD, Oct. 23.—Office workers at Columbia and RKO studios have overwhelmingly chosen the Screen Office Employes Guild as their collective bargaining agency, the N. L. R. B. announced, as workers balloted today at Republic and Universal studios.

MAINLINERS
to
LOS ANGELES



NO CHANGE OF SLEEPERS

The Continental Lv. 7 pm
The Overland Flyer Lv. 11:40 pm

Luxurious thru coast-to-coast Mainliners — at United's high, smoother flight levels.

Travel agents, hotels, or

UNITED AIR LINES

67 Wall St. or 58 E. 42nd St.
MU-2-7300

Personal Mention

VINCENT McFAUL is here from Buffalo for Paramount home office conferences.

•

JACK KENNEDY, RKO London representative, is scheduled to arrive from Europe by Clipper this weekend.

•

JOHN W. CONSIDINE, JR., M-G-M producer, will leave here for the Coast today, stopping over at Washington and Omaha en route west.

•

ARTHUR WILLI, head of the RKO Eastern talent department, is in Chicago for a week.

•

ELDON WYNN, manager of the Capitol, Spencer Circuit unit in Digby, N. B., is the first theatre manager called under Canadian conscription. R. A. FIELDING will substitute at the theatre.

•

SIDNEY BLOOMFIELD, manager of the Ideal, Philadelphia, became the father of a son a few days ago.

•

J. LALOR JOYCE, manager of the Hippodrome, Pottsville, Pa., will be married Thanksgiving Day to ESTHER C. ROSAR of Scranton at St. Mary's Church in South Scranton.

•

ERNEST DODDS, owner of the Palace, Lake Placid, N. Y.; VIVIAN SWEET of the Star, Greenwich, Conn., and CHARLES ORR of the Fairhaven in Fairhaven, Vt., visited the World's Fair this week.

•

CHARLES S. CHAPLIN, manager of the United Artists exchange in St. John, N. B., was elected president of the Young Men's Hebrew Association in his city. MITCHELL FRANKLIN, manager of the Mayfair, was named a director.

•

AMELIA "BILLIE" MARTIRE, secretary to BERT SANFORD at Altec, and MARTIN BENDER, engineer for the company, have announced their engagement.

A. H. BLANK arrived from Des Moines yesterday.

•

BOB SISK will leave for the Coast today.

•

HARRY COHN, HARRY L. GOLD, JAMES MULVEY and HAL HORNE lunching at Lindy's (51st St.) yesterday.

•

DAVID BERNSTEIN, ROBERT O'DONNELL, EDDIE GRAINGER, SAM RINZLER, GEORGE SKOURAS, MAX DREYFUS and ED SAUNDERS lunching yesterday at Nick's Hunting Room in the Astor.

•

FRED SCHWARTZ, GEORGE DEMBOW, SI FABIAN, MORT SPRING, JACK KIRKLAND, ARTHUR LOEW, ARTHUR KRECKE, JOSEPH ROSTHAL, DAVE BLUM, CHARLES SONIN, I. E. LOPERT and ARTHUR KRIM having lunch yesterday at Sardi's.

•

JACK COHN, ABE MONTAGUE, LOUIS J. BARBANO, MONROE GREENTHAL, BEN BOYAR, MORRIS KINZLER, SAM SHAIN, MILTON SILVER, WILLIAM FITELSON, CHARLES PAINE, FRED MCCONNELL, ED SCHWARTZ, JEFFREY BERNERD, ARTHUR LEE, ALAN FREEDMAN, JOSEPH MALCOLM, JACK MAYER and SAM CITRON at the Tavern yesterday for lunch.

•

ROBERT WOLFF, ARCHE MAYER, IRVING SHAPIRO and LOU WEINBERG at Lindy's (next to the Rivoli) yesterday for lunch.

•

SAM LEFKO, RKO salesman in the Allentown, Pa., territory, is the father of a son, born this week at Frankford Hospital, Philadelphia.

•

JUNE FINLEY, cashier at the Hart Theatre, Wilkes-Barre, will be married next month to JOHN KEATING of Edwardsville, Pa.

•

MRS. AL ROBBINS, wife of the operator of the Strand, Hamden, Conn., is at New Haven Hospital.

Harris and Ellis Talk Affiliation

Jack Ellis, president of the Motion Picture Associates, with Moe Streimer, vice-president, and Morris Sanders met yesterday with John H. Harris of Pittsburgh, national president of the Variety Clubs, and Robert F. O'Donnell of Dallas, to discuss a proposal that the New York organization become a local Variety Club. The discussion was said to be only in preliminary stages, and another meeting was set for next month.

Buchanan to Handle Ads on 'Pot o' Gold'

James Roosevelt has selected Buchanan & Co., Inc., as the advertising agency to handle an extensive advertising campaign on the film, "Pot o' Gold," a United Artists release. The national campaign is scheduled to appear during December, January and February, including national magazines, newspapers, trade papers and billboards.

Now It's an Apartment House

MEXICO CITY, Oct. 23.

EXHIBITORS and investors in film theatre construction here are puzzled about the odd action of the Municipal Government in forbidding the Cine Metropolitano, which was to have been a 5,000-seat theatre, to open when the house was half finished. The Government explained that as the Metropolitano is directly opposite fire headquarters, patrons' automobiles would obstruct the fire engines, as there is no other parking space close at hand.

It is considered strange that the Civic Government should make this discovery when the theatre was almost ready to open, since the Government approved plans for the theatre. The owners hope to retrieve their considerable investment by converting the theatre into an apartment house.

Rayburn to Attend Dinner for Walker

SCRANTON, Pa., Oct. 23.—Speaker Sam Rayburn of the House of Representatives has accepted an invitation to attend the testimonial dinner being tendered Postmaster Frank C. Walker at the Hotel Casey here on Monday. The Lackawanna County Democratic Committee, sponsors of the dinner, announced it expects to have National Democratic Chairman Edward J. Flynn and James A. Farley, Walker's predecessor, as guests also.

Bernie to m. c. Walker Fete

PHILADELPHIA, Oct. 23.—Ben Bernie will be toastmaster at the Philadelphia Variety Club annual banquet at the Bellevue-Stratford Hotel on Dec. 12 with Postmaster General Frank C. Walker as guest of honor.

Picture Pioneers to Hold Dinner Tonight

The Picture Pioneers will hold their Fall conference dinner in the Belvedere Room of the Hotel Astor tonight, with Jack Cohn, house manager, in charge of the expected excitement.

Tonight's affair will be known as "Circus Night at the Astor," and will be featured by the "world premiere" of a theme song composed by Benny Davis for the Pioneers, called "Twenty-Five Years Ago." Marvin Schenck is chairman of the entertainment committee. The show will start at 7 P.M., when the Circus Side Show will be opened. Hal Hode is chairman of the arrangements committee. Thirty new members will be initiated.

M. P. P. Employe and Mother Found Dead

HOLLYWOOD, Oct. 23.—Geraldine Espe, 38, secretary for the past seven years in the office of the Association of Motion Picture Producers, and her mother, Mrs. Bertha V. Sole, 60, were found dead yesterday in an automobile on a lonely road. The circumstances seemed to indicate a suicide pact, authorities said. Business associates said that Miss Espe had been absent from her office several days without explanation.

Louella Parsons Party

Louella Parsons and her Hollywood company opening at Loew's State today will be given a cocktail party at the Stork Club tomorrow, with the press invited.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame.

Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

LONDON CAN TAKE IT!"



E REEL, ON-THE-
OT NARRATION BY

**QUENTIN
EYNOLDS**
of Collier's

TODAY IN NEW YORK!

DAY-AND-DATE FOR THE FIRST TIME IN HISTORY IN ALL THESE B'WAY HOUSES!

RADIO CITY
MUSIC HALL
STRAND · RIALTO
PARAMOUNT
ROXY · PALACE
GLOBE · RIVOLI

PHONE NOW! WIRE NOW! TO

WARNERS

Allied Rejects Myers' Consent Decree Stand

(*Continued from page* 1)

tion to the proposed consent decree, including the provision regarding the five-picture group selling and trade showing and also including other provisions which either by omission or commission tend to perpetuate the monopoly in exhibition, distribution and production of motion pictures."

National Allied's stand in opposition to the decree aligns the organization with every other major exhibitor organization in the country, with some of which, such as the M.P.T.O.A. and the Paramount theatre operating affiliates, it has never been in agreement on any major trade issue before.

Wilby Unable To See Decree Draft

Robert Wilby, chairman of the Paramount theatre associates group opposing the proposed consent decree, yesterday expressed the belief that the draft would not be made public "until after the national election, Nov. 5."

Wilby came to New York from Charlotte immediately upon hearing that an agreement had been reached on the decree, in order to obtain a copy of the draft for study before formulating his plans for opposing its adoption. He said, however, that he had been unable to obtain a copy because, he was told, "it is still incomplete and undergoing further changes."

Wilby said he would return to Charlotte today but would come back to New York "whenever it's possible to see the decree" and plan his action in opposition to it.

Apprised of the decision of Allied States national board to oppose the decree, Wilby commented: "That makes it unanimous."

Work Begun On Master Draft

Work on the master draft of the consent decree was begun yesterday. This final draft will stand unchanged in principle and substance from the Aug. 3 draft, despite several revisions and additions which have been made since, officials said yesterday. These alterations have been of a minor character only, it was said.

Industry authorities expressed the belief that the master draft will not be ready in time for submission to Federal Judge Henry W. Goddard next Tuesday, contrary to what has been anticipated by Government representatives. It was also said that there is practically no likelihood of the decree being made public before it is submitted to the court.

Revisions of the Fox West Coast and Balaban & Katz consent decrees, to incorporate the changes agreed upon this week and bring them in conformance with the New York decree, were completed yesterday by Assistant Attorneys General James Hayes and Robert Sher. The latter left for Washington last night with the revised documents.

Disney and McMath Are Presented SMPE Awards

HOLLYWOOD, Oct. 23.—Walt Disney tonight was awarded the annual Progress Medal of the Society of Motion Picture Engineers for developing the cartoon to its present position as an entertainment medium.

At the Society's annual banquet, where the award was made, Robert D. McMath of the McMath-Hulbert Observatory of the University of Michigan, was given the annual Journal Award for the outstanding paper published in the S.M.P.E. Journal last year. Titled "The Surface of the Nearest Star," McMath's paper described his successful experiments in taking films of the surface of the sun. McMath is chairman of the board of Motors Metal Manufacturing Co.

The banquet tonight was the highlight of the third day's activities of the S.M.P.E. 47th semi-annual convention at the Hollywood Roosevelt Hotel here. It was attended by 350.

The newly elected officers were introduced at the banquet by E. A. Williford, retiring president. Entertainment and dancing concluded the banquet. Rudy Vallee and his radio troupe supplied the entertainment.

There were no technical sessions scheduled this afternoon, while this morning was devoted to a disc recording session.

Among the papers read were the following: "A Portable Disc Recording-Reproducing Machine," by J. C. Davidson and C. C. Davis, Erpi; "Orthacoustic Disc Recording and Reproduction," by H. J. Hasbrouck, Jr., RCA Manufacturing Co.; "An Improved Playback Horn Equipment," by C. R. Daily, Paramount; "Some Developments in 8mm. High-Intensity Positive Carbons," by D. B. Joy, National Carbon Co., and "Quarter-Wave Method of Loud Speaker Testing," by S. L. Reiches, Cleveland.

Conn. Allied Starts Membership Drive

NEW HAVEN, Oct. 23.—Shepherd S. Epstein of Boston has been appointed by the Allied Theatre Owners of Connecticut to conduct a membership campaign throughout Connecticut. A meeting yesterday was addressed by Arthur K. Howard, business agent of the Boston Allied group and Frank Lydon, national regional director.

In urging Connecticut exhibitors to join the ranks of Allied without delay, Executive Secretary Lawrence C. Caplan stated: "With the consent decree almost a certainty, and with the problems which will undoubtedly arise therefrom, and need explanation and clarification, it will be more important than ever for theatre operators to be well organized."

E. T. Beedle Heads Western Pa. Allied

PITTSBURGH, Oct. 23.—E. T. Beedle of Cannonsburg, Pa., was elected president of Allied M.P.T.O. of Western Pennsylvania, succeeding M. A. Rosenberg, at the closing session of the organization's annual convention here yesterday.

Other officers elected are: Harry Walker, vice-president, succeeding Beedle; Joseph Gellman, reelected treasurer, and Fred Herrington, reelected secretary. Directors are: Carl Poke and William Walker, reelected, and M. A. Rosenberg.

Writ Halts Ban on Bingo in Ohio Town

MIDDLETOWN, O., Oct. 23.—Bingo has been restored to its former status here, and for the present will continue unmolested through a temporary injunction granted the St. John Church by Common Pleas Judge P. P. Boli.

This action is the sequel to a similar procedure instituted by Northio Theatres, Inc., which last week obtained a temporary restraining order in Common Pleas Court to prevent police interference with Sweepstakes at the Paramount. Both Sweepstakes and Bingo were discontinued when a City Council ordinance, making operation of the games illegal, became effective Oct. 5.

Publicity Guild Seeks Closed Shop

(*Continued from page* 1)

final decision will be made on scales.

Informal conferences with five major companies will start today under the auspices of the National Labor Relations Board, and two more companies will meet with the Guild tomorrow. The conferences will be conducted by Charles Kramer, N.L.R.B. field examiner.

The Guild seeks designation as collective bargaining agency. The companies are asking that a unit for bargaining be determined first and that the Guild present proof that it represents the majority of employes in such units.

'Dictator' Set in 3 Ohio Cities

CLEVELAND, Oct. 23.—"The Great Dictator" will open here at Loew's Stillman on Nov. 1 with a policy of continuous run at advanced prices during the day and reserved seats at night.

The film is scheduled to open at Loew's Broad in Columbus also on Nov. 1, and at Loew's in Dayton on Oct. 31. Both of the latter engagements will be on a continuous run policy at advanced prices.

See Three Weeks in Boston

BOSTON, Oct. 23.—A minimum run of three weeks is expected by officials here for "The Great Dictator," which will open at Loew's State and Orpheum here Oct. 31. Policy will be continuous at 75 cents matinees and $1.10 top nights.

Hays to Meet Kennedy on British Pact

(*Continued from page* 1)

in London and half made available for withdrawal to this country.

Universal will again make a separate agreement, the basis of which, as was the case last year, will coincide with the terms made with the other seven companies. That is, under its new agreement, it will be allocated a flat sum representing its aggregate annual business, which will be one-third less than that allocated it last year. Half of this amount will be blocked and the other half will be available for withdrawal.

A further condition attaches to the new British proposal to the American companies, which is that one-fourth of the sum designated for withdrawal from London will be held in reserve there on an "if earned" basis. This condition is imposed due to the wartime uncertainties of theatre operation in Britain, where many theatres in the London area have been destroyed or closed during the year and others throughout the British Isles are on limited operating schedules. This one-fourth of the withdrawal allotment held in reserve would be available for remittance to New York if, at the end of the new one-year agreement, the company's earnings are equal to or more than the allocated sums.

Ambassador Kennedy is scheduled to arrive by Clipper either tomorrow or Monday, dependent on weather and flying conditions. Efforts to arrange a meeting between him and Hays will be made as soon after his arrival as possible.

The M.P.P.D.A. board discussed the new British proposal at a meeting this week at which Hays presided.

Knaut Photophone Foreign Sales Head

J. M. Knaut, in charge of financial and accounting activities for the past eight years for RCA Victor Argentina, at Buenos Aires, has been appointed manager of the RCA Photophone sales in the RCA Manufacturing Co. international division.

Knaut will maintain headquarters at Camden, N. J. His new post filled a vacancy created when Van Hess Philip reported for military duty on Sept. 1. Jay D. Cook, international division manager, has named E. M. Roberts, former vice-president in China, to a similar post in Argentina, Dan Des Foldes, with international record sales at Camden, has been assigned to recording and record sales in Argentina, and G. G. Connelly, formerly on domestic record sales, has been named manager of artists and repertoire, succeeding Des Foldes.

Coast Group Arrives For Chicago Opening

CHICAGO, Oct. 23.—Paramount's studio delegation arrived here today for the American premiere here tomorrow evening of "North West Mounted Police" at the Chicago and State-Lake theatres.

Feature Review

"Meet the Wildcat"

(Universal)

BLENDING melodrama and comedy, the latter predominating, "Meet the Wildcat" apparently was made expressly for laughs. Audience reaction at the Rialto on Broadway proved the success of the design. Repeated laughter evidenced approval of the comedy, while instances where the story faltered were overlooked. On the whole, the film is entertaining.

Ralph Bellamy and Margaret Lindsay are in the top roles, Bellamy as a New York detective posing as a thief, "the Wildcat," in Mexico City, and Miss Lindsay as a photographer for "Squint" magazine. Both are highly effective. Joseph Schildkraut, Jerome Cowan and Allan Jenkins are good as ever, and other members of the cast give convincing performances.

Alex Gottlieb's story and screenplay are vigorous, while Arthur Lubin's direction maintains a fast pace throughout. Joseph G. Sanford was associate producer.

Running time, 62 minutes. "G."*

**"G" denotes general audience classification.*

'Band' Draws Big $16,000, Cleveland

CLEVELAND, Oct. 23.—"Strike Up the Band" grossed $16,000 at Loew's State. The "Bali, Bali Revue" on the stage at the RKO Palace and the "Great Profile" also drew $16,000.

Estimated takings for the week ending Oct. 17:

"No Time for Comedy" (W.B.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)
"Brigham Young—Frontiersman" (20th-Fox)
WARNERS' HIPPODROME—(3,800) (33c-39c-47c) 7 days. Gross: $7,000. (Average, $11,000)
"Great Profile" (20th-Fox)
RKO PALACE—(3,100) (33c-47c-55c) Bali, Bali Revue, 7 days. Gross: $16,000. (Average, $13,500)
"Strike Up the Band" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $16,000. (Average, $11,000)
"The Westerner" (U.A.)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days. Gross: $5,500. (Average, $4,000)
"Money and the Woman" (W.B.)
"Stranger on the Third Floor" (RKO)
LAKE—(900) (28c-40c) 7 days. Gross: $1,000. (Average, $1,500)

'Parade' Montreal Winner at $10,500

MONTREAL, Oct. 23.—The observance of the Canadian Thanksgiving during the week helped appreciably. "Spring Parade" tallied $10,500 at the Palace. "Boom Town" grossed $8,900 in its second week at Loew's.

Estimated takings for the week ending Oct. 18:

"Brigham Young—Frontiersman" (20th-Fox)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $6,900. (Average, $8,000)
"Boom Town" (M-G-M)
LOEW'S—(2,800) (30c-40c-60c) 7 days, 2nd week. Gross: $8,900. (Average, $8,000)
"The Westerner" (U. A.)
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $5,000. (Average, $5,000)
"Spring Parade" (Univ.)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $10,500. (Average, $9,000)
"I Want a Divorce" (Para.)
"Rangers of Fortune" (Para.)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $3,800. (Average, $4,500)

Club Party Arranged

CINCINNATI, Oct. 23.—The Cincinnati Variety Club will stage a Hallowe'en party in the club rooms next Thursday night which will be attended by Tyrone Power, who will be here for the premiere of "The Mark of Zorro."

'Pastor Hall' Gets $10,800 in Buffalo

BUFFALO, Oct. 23.—"Pastor Hall" at the Twentieth Century grossed $10,800. "Down Argentine Way" and "Sky Murder" at the Great Lakes drew $10,200.

Estimated takings for the week ending Oct. 19:

"Knute Rockne—All American" (W. B.)
BUFFALO—(3,489) (35c-40c-60c) 7 days. Gross: $11,800. (Average, $12,000)
"Down Argentine Way" (20th-Fox)
"Sky Murder" (M-G-M)
GREAT LAKES—(3,000) (35c-55c) 7 days. Gross: $10,200. (Average, $7,500)
"The Westerner" (U. A.)
"Calling All Husbands" (W. B.)
HIPPODROME—(2,100) (35c-50c) 7 days, 2nd run. Gross: $5,200. (Average, $6,800)
"Pastor Hall" (U. A.)
"The Earl of Puddlestone" (Rep.)
TWENTIETH CENTURY—(3,000) (30c-40c) 7 days. Gross: $10,800. (Average, $7,500)
"Spring Parade" (Univ.)
"The Leather Pushers" (Univ.)
LAFAYETTE—(3,000) (30c-40c) 7 days. Gross: $7,500. (Average, $6,300)

'Rockne' Is Smash $10,400 in Omaha

OMAHA, Oct. 23.—The Orpheum and Omaha took the town's business. "Strike Up the Band," single-featured at the Omaha, garnered $9,200. "Knute Rockne—All American" scored a smash $10,400 at the Orpheum. The weather was clear and cool.

Estimated takings for the week ending Oct. 16-17:

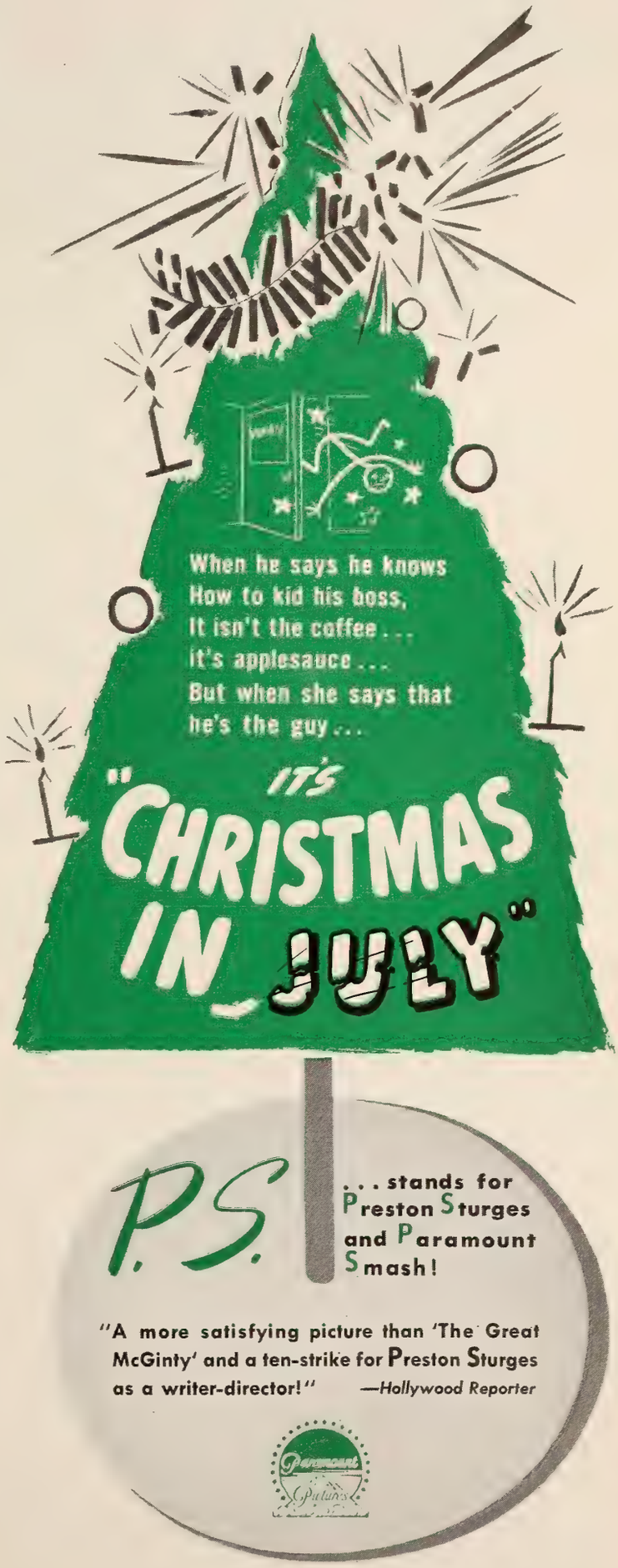
"No Time for Comedy" (W. B.)
"Before I Hang" (Col.)
BRANDIES—(1,200) (30c-40c-44c) 7 days. Gross: $4,300. (Average, $4,000)
"Strike Up the Band" (M-G-M)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $9,200. (Average, $6,000)
"Knute Rockne—All American" (W. B.)
"River's End" (W. B.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $10,400. (Average, $7,200)

Henry Armetta Signed

HOLLYWOOD, Oct. 23.—Henry Armetta today was signed to a four-picture deal by T. H. Richmond Productions, which will release through Producers Releasing Corp., headed by Harry Rathner.

Sack Dissolved in N. Y.

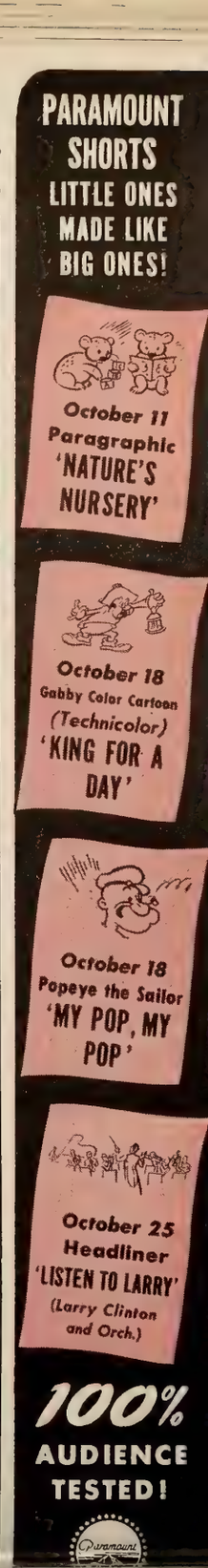
ALBANY, Oct. 23.—Dissolution of authority to conduct business in New York State has been filed here by Sack Amusement Enterprises, Inc., Dallas.



MOTION PICTURE DAILY'S BOOKING CHART

ates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After itles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Sept. 27	Angels Over Broadway (D) *D. Fairbanks, Jr.* Glamour for Sale (D)	Strike Up The Band (M) 103 Sky Murder (D) 105	The Ape (D) 4001 *Boris Karloff*	Rangers of Fortune (O) 4003 *MacMurray P. Morrison*	Under Texas Skies (O) 062 *3 Mesquiteers*	Triple Justice (O) 086	Brigham Young (D) 107 *Tyrone Power Linda Darnell*	Thief of Bagdad (D) *Conrad Veidt Sabu*	Spring Parade (M) 5001 *Deanna Durbin R. Cummings*	
Oct. 4	So You Won't Talk (C) *Joe E. Brown F. Robinson*	Dulcy (C) 106 *Ann Sothern Ian Hunter*	Drums of the Desert (D) *Ralph Byrd*	The Quarterback (C) 4004 *Wayne Morris Virginia Dale*	Frontier Vengeance (O) 072 *Don "Red" Barry*	The Villain Still Pursued Her (C) 105 *Herbert-Louise*	Gay Caballero 108 *Cesar Romero Robert Sterling*		Diamond Frontier (D) 5019 *McLaglen-Nagel*	Knute Rockne-All American (D) *O'Brien-Page*
Oct. 11		Third Finger Left Hand (C) *Myrna Loy Melvyn Douglas*		Cherokee Strip (O) 4005 *Richard Dix Florence Rice*	Melody and Moonlight (M) 005 *Johnny Downs*	Too Many Girls (M) 106 *Ball-Carlson*	Down Argentine Way (M) 113 *Don Ameche Betty Grable*		A Little Bit of Heaven (M) *Gloria Jean Robert Stack*	Father Is a Prince (C) *Grant Mitchell Nana Bryant*
Oct. 18	Nobody's Children (D) *Edith Fellows Billy Lee*		Old Swimmin' Hole (D) 4010 *Moran-Jones*	Moon Over Burma (D) 4006 *Dorothy Lamour*	Hit Parade of 1941 (M) 001 *Kenny Baker Frances Langford*	Laddie (O) 107 *Tim Holt V. Gilmore*	Night Train (D) 114 *M. Lockwood Rex Harrison*		Slightly Tempted (C) 50-24 *Hugh Herbert*	Dispatch from Reuters (D) *Ed. G. Robinson Edna Best*
Oct. 25	West of Abilene (O) Girls Under 21 (D)	Hullabaloo (C) 109 *Frank Morgan Billie Burke*	Phantom of Chinatown (D) *Keye Luke*	Christmas in July (C) 4007 World in Flames (D)	Young Bill Hickok (O) 052 *Roy Rogers*	They Knew What They Wanted (D) *C. Laughton Carole Lombard*	The Great Profile (C) 111 *John Barrymore*		Seven Sinners (D) *Marlene Dietrich John Wayne*	Tugboat Annie Sails Again (D) *M. Rambeau Alan Hale*
Nov. 1	Blondie Plays Cupid (C) *Penny Singleton Arthur Lake*	Escape (D) 108 *Norma Shearer Robert Taylor*	Oklahoma Bound (O) *Tex Ritter*	Dancing on a Dime (C) 4008 *Grace McDonald Robert Paige*	Who Killed Aunt Maggie (D) *John Hubbard Wendy Barrie*	Li'l Abner (C) 109 Too Many Girls (M)			I'm Nobody's Sweetheart (D) 5036 Island of Black Gold (D) 50-52	Always a Bride (C) *Rosemary Lane*
Nov. 8		Bitter Sweet (M) *J. MacDonald Nelson Eddy*	Chamber of Horrors (D) *Leslie Banks*	Arise My Love (D) 4009 *Claudette Colbert Ray Milland*	Friendly Neighbors (M) *Weaver Bros. and Elviry*	Little Men (D) 110 *Kay Francis Jack Oakie*	Mark of Zorro (D) 117 *Tyrone Power Linda Darnell*	Son of Monte Cristo (D) *Joan Bennett Louis Hayward*	Sandy Gets Her Man (C) *Baby Sandy Stuart Erwin*	Lady With Red Hair (D) *Miriam Hopkins Richard Ainley*
Nov. 15	Beyond the Sacramento (O) Lone Wolf Keeps a Date (D)	Fighting Sons (D) *Jackie Cooper Bonita Granville*		Three Men from Texas (O) 4050 *William Boyd Russell Hayden*	Trail Blazers (O) *3 Mesquiteers* Melody Ranch (O)	Mexican Spitfire Out West (C) 111 *Lupe Velez*	Street of Memories (D) 102 *Lynne Roberts*		Moonlight in the Tropics (M) *Nancy Kelly Alan Jones*	South of Suez (D) *George Brent Brenda Marshall*
Nov. 22	Escape to Glory (D) *Pat O'Brien C. Bennett*	Little Nellie Kelly (M) *Judy Garland George Murphy*		North West Mounted Police (D) 3946 *Gary Cooper*	Texas Terrors (O) *Don "Red" Barry Julie Duncan*	You'll Find Out (M) 108 *Kay Kyser and Orchestra*	Youth Will Be Served (D) 119 *Jane Withers Jane Darwell*	Long Voyage Home (D) *John Wayne Thomas Mitchell*	Meet the Wildcat (D) 5023 *Ralph Ballamy*	The Letter (D) *Bette Davis Herbert Marshall*
Nov. 29	This Thing Called Love (C) Ellery Queen, Master Detective (D)	Comrade X (C) *Clark Gable Hedy Lamarr*			Meet the Missus (C) *Higgins Family*	Kitty Foyle (D) 112 *Ginger Rogers*			The Bank Dick (C) *W. C. Fields Una Merkel*	East of the River (D) *John Garfield Brenda Marshall*
Dec. 6	Thundering Frontier (O) *Chas. Starrett Iris Meredith*			Night at Earl Carroll's (C) *Ken Murray Lillian Cornell*	Border Legion (O) *Roy Rogers Gabby Hayes*		Charter Pilot (D) 118 *Lloyd Nolan Lynn Bari*		Margie (C) *Tom Brown Nan Grey*	
Dec. 13				Texas Rangers Ride Again (O) *John Howard*	Barnyard Follies (C) *Mary Lee*		Murder Over New York (D) 121 *Sidney Toler*		Invisible Woman (C) *J. Barrymore*	



Showmanship Flashes

Joins Metro Honor Roll With 'Band' Campaign

Ed Fitzpatrick, manager of Loew's Poli, Waterbury, is the second exhibitor to win the M-G-M Honor Roll exploitation button, won for his campaign on "Strike Up the Band." The highlights of his campaign included an opening day march to the theatre by the orchestras of three local high schools, cooperation of a Rooney-Garland fan club, a doubles contest sponsored by a local radio station, extensive window displays and promotion with music stores, and a nine-foot lobby cutout of a trap-drum on a platform.

Girls in South American Dress Used on 'Argentine'

Philadelphia, Oct. 23.—Al Reh, manager of Warners' Stanley, recruited a corp of models dressed in South American fashion for "Down Argentine Way." The girls were taken out to the football stadiums during the games, where they handed out heralds on the picture.

Senft Did Capitol "Dictator" Displays

Al Senft is credited with the imposing and impressive theatre front and marquee material used at the Broadway Capitol for the showing of "The Great Dictator."

Distinctive Columbia Brochure on 'Arizona'

Columbia has prepared a distinctive 36-page, illustrated brochure, bound in imprinted copper covers, for distribution to exhibitors as part of its campaign on "Arizona." Profusely illustrated with scenes from the picture, it contains a synopsis of the story, statistics concerning the production and a brief, historical background of the "old Tuscon," the picture's locale. The brochure was prepared under the direction of Maurice Bergman, Columbia advertising and publicity director.

String on Finger Plugs 'Third Finger' Date

Baltimore, Oct. 23.—In connection with the showing of "Third Finger, Left Hand" at Loew's Century, George Avis had ushers hand all patrons a short piece of string as they entered the theatre during the week in advance of the picture. Instructions were flashed on the screen to "tie the piece of string on your third finger as a reminder to come next week and see 'Third Finger, Left Hand.'"

'Phone Calls Used For 'Boom Town' Run

York, Pa., Oct. 23.—Ed Moore, manager of Warners' Strand, depended on a psychological effect in plugging "Boom Town." He had telephone calls made at hotels, department stores and other establishments employing a large number of people. When the phone was answered, the "hello" was greeted with: "When is 'Boom Town' coming?" The called person invariably asked, "Whom are you calling?" to which the caller answered, "Isn't this the Strand Theatre?"

Pigeons Carry Copy on 'Dispatch from Reuter's'

As part of its campaign on "A Dispatch from Reuter's," Warners sent live pigeons to leading exhibitors and newspaper editors over the country, with personal letters from Gradwell L. Sears, general sales manager, and Charles Einfeld, director of advertising and publicity. The pigeons, carrying copy on the film, were shipped by express. Edward G. Robinson, who stars, is giving the film a four-week plug on his regular radio programs.

Cooperative Full-Page Ad Used for 'Rockne'

Springfield, Ill., Oct. 23.—A full-page cooperative ad was prepared by Max Tschauder of the Roxy here on "Knute Rockne—All American." In the form of a large football stadium, with playdate material hand-lettered in the center, the ad included, around the oval sides, spot ads taken by local merchants, with copy based on the film.

Millard Artist on 'Hit Parade' Pressbook

The attractive and colorful cover on the over-size pressbook prepared for the Republic musical, "Hit Parade of 1941," was the work of C. E. Millard.

Holds Band Contest For 'Strike Up Band'

State College, Pa., Oct. 23.—Paul O. Klingler, manager of the Rialto here, and Charles Baron, M-G-M field representative, conducted a dance band contest for "Strike Up the Band." Four dance orchestras competed for honors in front of the theatre.

Run King Contest On 'Mounted' Serial

Hazleton, Pa., Oct. 23.—In connection with the first showing of the serial, "King of the Royal Mounted," Carl Pfeil, manager of the Alton, offered a bicycle to the child chosen King or Queen of the Junior Royal Mounties. A boy was later crowned king at coronation ceremonies in the lobby prior to a special children's program. Free membership cards in the Junior Royal Mounties were presented to children who attended the performance.

Plug Sadie Hawkins Day As 'Li'l Abner' Stunt

RKO is promoting "Sadie Hawkins Day" in connection with the showing of the picture, "Li'l Abner." Sadie Hawkins is a character in the newspaper cartoon comic strip from which the picture was adapted. Suggested is a foot-race, with women chasing men.

Dance Contest Used On 'Argentine' Way

New Haven, Oct. 23.—LaConga dance contests at the Bijou and Globe, Bridgeport, to herald the opening of "Down Argentine Way" were so successful that Loew's scheduled a similar contest at the Palace, Meriden.

To Reopen in Phila.

Philadelphia, Oct. 23.—Leo Posel will reopen his Benner Theatre shortly before the Christmas holidays.

Pre-Release Run of 'Liberty' Set in Pa.

The feature, "Land of Liberty," the industry's contribution to the World's Fairs in New York and San Francisco, which is being distributed nationally by M-G-M, will be given a special pre-release engagement in Williamsport, Pa., on Nov. 12. The national release date has not yet been determined.

The distribution will be on a non-profit basis, with the net amount derived from the release to go for welfare work among soldiers and sailors by the American Red Cross and similar organizations.

Curtail Authority of SAG Extra Council

Hollywood, Oct. 23.—The extras' Class B Council of the Screen Actors Guild last night was notified by the S.A.G. board of directors that proxy voting by the council members has been abolished, the guild's welfare committee has been eliminated because of confusion between it and the Motion Picture Relief Fund, and that no Class B members henceforth will be permitted to serve on the admission committee.

The move in effect clips the authority of the Class B Council, the governing body for extra players.

New Theatre Company

Jacksonville, Fla., Oct. 23.—J. S. Duss and associates have formed the St. Johns Amusement Corp. here.

'Argentina' Is Seattle's Best, Draws $8,200

Seattle, Oct. 23.—"Down Argentine Way" and "The Great Profile" took a good $8,200 at the Fifth Avenue. The weather was cool and somewhat rainy.

Estimated takings for the week ending Oct. 18:

"Pastor Hall" (U. A.)
BLUE MOUSE—(950) (30c-40c) 7 days. Gross: $3,000. (Average, $4,000)
"Down Argentine Way" (20th-Fox)
"The Great Profile" (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $8,200. (Average, $7,000)
"Foreign Correspondent" (U. A.)
LIBERTY — (1,800) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $4,500. (Average, $5,000)
"Strike Up the Band" (M-G-M)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $4,200. (Average, $4,000)
"Knute Rockne, All-American" (W. B.)
"South to Karanga" (Univ.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days, 2nd week. Gross: $4,900. (Average, $6,000)
"Scatterbrain" (Repub.)
"The Tenderfoot" (Repub.)
PALOMAR—(1,500) (30c-40c-50c) 7 days. Thurston's Magic Show on stage. Gross: $6,000. (Average, $5,000)
"Spring Parade" (Univ.)
"The Quarterback" (Para.)
PARAMOUNT — (3,050) (30c-40c-50c) 7 days, 2nd week. Gross: $5,400. (Average, $6,000)

Get Schenectady House

Albany, Oct. 23.—L. J. Carkey, who operates the Family, Utica, N. Y., will take over the Metro, Schenectady, shortly.

This is Yank...



..who met death praying that this time Oley would leave the sea and go back home.

YANK, played by Ward Bond, is one of the unforgettable characters in JOHN FORD'S production of Eugene O'Neill's "THE LONG VOYAGE HOME" which Daily Variety calls "A certain contender for the Academy Award, with thrilling storms comparable to 'The Hurricane'."

Parking Problem

Philadelphia, Oct. 23. — No-parking signs for theatre zones will soon be made available to theatre owners, who have long complained of much laxity in enforcing the ordinance regulating such traffic. However, since no appropriation had been made by the city for the signs, the cost, to be determined, must be borne by the exhibitors, who have been paying a $10 yearly fee for the use of a "No Loading Zone" sign, which has been ineffective.

Radio Freedom Bill Weighed in Mexico

MEXICO CITY, Oct. 23.—Congress is considering a bill providing for the freedom of radio broadcasts similar to the privilege of the Mexican press. The bill provides that taboos on radio broadcasts, which forbid any mention of politics and religious affairs, are reactionary. It is considered likely that this bill will pass before Nov. 30, the end of the Cardenas Administration.

Radio bans against Nazi and Fascist propaganda, enforced by the powerful Confederation of Mexican Workers which controls radio employes, are to be continued, it is ascertained.

GTE Three-Month Profit Is $173,797

General Theatres Equipment Corp. and subsidiaries, excluding Cinema Building Corp., report for the three months ended Sept. 30, 1940, consolidated net profit of $173,797 after provision for depreciation and for estimated Federal income tax. This compares with $154,347 for the similar period in 1939.

For the nine months ended Sept. 30, 1940, consolidated net profit of the corporation was $582,115 compared with $482,577 for the like 1939 period.

Seeks Permit for Station in Florida

WASHINGTON, Oct. 23.—Application for a construction permit for a new 1,310-kilocycle, 250-watt broadcasting station has been filed with the Federal Communications Commission by the Tropical Broadcasting Co., DeLand, Fla.

An application also has been filed by Station WRNL, Richmond, for increase of power from 1,000 to 5,000 watts.

Webb Is on Leave

ALBANY, Oct. 23.—Assemblyman William T. A. Webb, recent victor in a primary contest centered on his successful opposition to an impost on billboards or their abolition, has taken a lengthy leave of absence from the Smalley Theatre Circuit.

Gets City Franchise

CINCINNATI, Oct. 23.—Nat Kaplan, Paramount salesman for 15 years, has resigned to take over the local franchise of Producers Distributing Corp., formerly held by Lee L. Goldberg, who has assumed charge of the Cleveland office of the company.

Off the Antenna

NBC officials have no immediate plans for a starting date for the resumption of regular programs on television, it was said last night. The idea, at present, is to "test" various types of equipment on an irregular schedule. Officials refuse to say that they are waiting for the National Television Systems Committee to agree on standards but it is not likely that NBC will make any large expenditures for programs before there is some indication the new medium is on fairly stable ground. One exception is under consideration. If some graphic program idea is presented which will give a good visual presentation of election returns, superior to that which aural radio can achieve, NBC may attempt an elaborate program on Election Night. Commercial broadcasting is generally dated from the broadcasting of the Harding election returns and there is considerable sentimental desire to put over a smash television show from which the new art can be said to have started.

• • •

Purely Personal: *Niles Trammell, Douglas Mesewey, Ken Dyke, Ronald MacDougall, W. S. Robert, Tom Bennet, Edward Pola, A. A. Schecter,* 19 *actors and six actresses left last night for White Sulphur Springs to present the Ad-Ribbers annual show at the Association of National Advertisers convention. . . . Tom Neely has joined NBC spot and local sales department. . . . Elmo Roper, conductor of the* Fortune *survey, will discuss election returns over CBS Nov.* 5. *. . . Eddy Duchin and his orchestra will appear on the "Fitch Bandwagon" Sunday at* 7:30 *over NBC-Red. . . . John Mason Brown,* Post *drama critic, will be guest on "Information, Please" over NBC-Blue Tuesday at* 8:30 *P.M. . . . Maj. Paul C. Raborg, WHN military commentator, will speak on "Preparedness" to the Rotary Club at the Hotel Commodore today.*

• • •

The Ascap music festival at the World's Fair will not be broadcast today with both sides holding fast to their orginal positions. Ascap claims it is being "boycotted" by radio and the networks point out that they were not even asked to provide time for the show.

• • •

Up to a late hour last night, the extent of the network which will carry John L. Lewis' speech tomorrow night could not be learned. Lewis has requested the entire station list on NBC-Red, CBS and Mutual but not all stations will clear time. It was also pointed out that since Lewis is not a political candidate himself and the C.I.O. is buying time, not any of the parties, a station has the right to refuse to clear time for the program if it wishes to do so.

• • •

Program News: *WOR will record the Mutual dramatization of "North West Mounted Police" tonight and put it on the air tomorrow at* 4:15 *P.M. . . . Schwartzman Fur Co. is sponsoring Mary Allen Franklin, a newspaper reporter, on "Is This You?" over WNEW Tuesdays at* 8:30 *P.M. . . . Charles T. Davis, credited by NBC with being the first to adapt films for radio, will be honored Sunday at* 3:30 *P.M. over NBC-Blue on "Behind the Mike." . . . Abe Lyman will conduct an audience participation show from the Hotel New Yorker over WMCA starting Sunday at* 11:15 *P.M.*

• • •

In line with its promise to provide orchestra leaders and sponsors with theme music which can be owned exclusively, BMI has provided Martin Block, conductor of "Make Believe Ballroom" over WNEW, with a new tune, "It's Make Believe Ballroom Time." One of the advantages of an exclusively-owned theme song is that conductors of other record shows around the country cannot use it, as they do with "Make Believe Ballroom," Block's present theme. It is especially important because Block plans to sell a transcription of his show for other local station use next month.

Theatre Changes

W.B. Opens Philadelphia House

PHILADELPHIA, Oct. 23. — The Warner circuit here has opened the new Vernon in the Germantown section, operated on a pooling arrangement made earlier in the year with William Goldman's Bandbox nearby. Albert Simko, assistant manager at the downtown Boyd, will manage the new house with Labe Nidorf, student manager at the Family, moving up as his assistant.

Takes Rensselaer House

RENSSELAER, N. Y., Oct. 23.—Clifford Swick has taken over the Bright Spot here, and has renamed the theatre the Uptown.

Reopen Georgia Theatre

BRUNSWICK, Ga., Oct. 23.—The Ritz, dark for some time while undergoing an extensive remodeling program, has reopened.

Warners Open Bristol

BRISTOL, Conn., Oct. 22.—Warners have opened the 806-seat New Bristol Theatre, built at an approximate cost of $125,000. Victor Morelli, manager of the Bristol which burned down last year, will be in charge.

Building House in Kansas

KANSAS CITY, Oct. 23.—Ted Davis, formerly with Fox Midwest at Moberly, Mo., and Arkansas City and Wichita, Kan., is building a subsequent run house in Parsons, Kan., at a cost of $15,000, and will open it about Dec. 1.

Open in Pawtucket Shortly

PAWTUCKET, R. I., Oct. 23.—The new 900-seat Darlton here will open shortly, according to Chester J. Currie of Currie and Harmon, lessees.

Short Subject Reviews

"London Can Take It"

(*Warners*)

This short subject, produced by the British Ministry of Information, and acquired for release in the United States, Canada and Latin America by Warners, pictures London's defense against nightly bombing attacks by Nazi air raiders, and stresses the high morale and undaunted behavior of the population of the city.

There is little question but that this is a subject of tremendous exploitation value at the moment. It is propaganda, but without doubt it is the kind of propaganda the people of America will be happy about. Quentin Reynolds, war correspondent in London, who acted as commentator, contributes in great measure to the effectiveness of the subject, with his calm and clear narrative. London is pictured preparing for a night of raids, its population hurrying to raid shelters. The droning planes come over, searchlights and guns go into action and firemen and raid wardens go to their tasks. Next morning, as the debris is cleared, Londoners emerge from their shelters, and once again resume their daily work. Running time, 10 mins.

"The Green Hornet Strikes Again"

(*Universal*)

This is an exciting serial that should have a pre-sold audience in the countless youngsters who follow by ear the adventures of the radio character, "The Green Hornet." The film is true to serial form, replete with many fights and chases, captures and escapes, and with each chapter brought to a thrilling climax. Warren Hull is a newspaper publisher, who, as the "Hornet," combats racketeers by employing their own methods. Anne Nagel, Keye Luke and Wade Boteler are the other principals involved. The picture, as indicated by the first three chapters, is ideal for the Saturday afternoon trade in neighborhood theatres. Each chapter runs about 20 minutes.

"March of Time, No. 3"

(*RKO*)

This deals with the nation's neighbor to the south, "Mexico." Although it does not delve very deeply into the conditions which caused strained relations between the United States and Mexico nor the later events which eased the tension, the film describes the developments in Mexico of the past few years. Interest in Pan-American unity should help sell the reel. Running time, 19 mins.

Get Softball Awards

SCRANTON, Pa., Oct. 23.—Members of the Capitol Theatre team which won the championship of the Scranton division of the Comerford Theatres Softball League received the individual and team awards from John J. O'Leary, head of Comerford Theatres, Inc., at the second annual softball dinner here.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 83 NEW YORK, U. S. A., FRIDAY, OCTOBER 25, 1940 TEN CENTS

Broadcasting By Candidates Hits Grosses

Popular Air Shows Also Suffer in Campaign

Box-office receipts tumbled Wednesday night all over the country as the presidential campaign entered its final fortnight, according to reports received at home offices yesterday. With both candidates on the air during the important evening hours, from 9:15-10 and 10:35-11:15, Eastern time, grosses slumped badly. Broadway was hard hit.

One saving element was pointed out by theatre managers who believe that there is little that can be done to meet this competition and that the slump is to be expected. The fact that these talks are also competition for the regular radio shows was noted, since most commercial entertainment programs are being forced off the air by the political speeches.

Both the Eddie Cantor and Fred Allen shows, two of the most popular on the air, were cancelled Wednesday. Managers feel that many people are weary of the international situation and will seek relaxation in

(*Continued on page 6*)

Chicago Flocks to 'Police' Premiere

CHICAGO, Oct. 24.—This city's Loop area was jammed tonight as Paramount's "North West Mounted Police" was given its world premiere at the Chicago and State-Lake theatres.

Enthusiasm ran high as the players of the film appeared on the "Bridge of Stars," a wooden ramp built across State Street and connecting the two

(*Continued on page 6*)

'Maggie' Midnight Opening in Atlanta

ATLANTA, Oct. 24.—A packed Rialto Theatre, despite the late hour of 11:30, greeted the premiere showing of Republic's "Who Killed Aunt Maggie" here tonight. This city was chosen for the premiere because the author of the story, Medora Field, is an Atlantan.

Mayor Hartsfield on the stage introduced Walter Abel, Mona Barrie,

(*Continued on page 6*)

'Dictator' at Higher Prices Until Summer

"The Great Dictator" will not be shown anywhere in America except at advanced admission prices until the Summer of 1941, United Artists announced yesterday. The decision reportedly was made as a result of the picture's performance in its first engagements at the Astor and Capitol on Broadway.

150 at Picture Pioneers Dinner

About 150 members and guests of the Picture Pioneers, organization of 25-year industry veterans, were on hand at the Hotel Astor's Belvedere Room last night for a Fall conference dinner and "Circus Night."

Jack Cohn, as chairman of the organization, presided, and Judge Ferdinand Pecora inducted a group of new members. Among the speakers were Will H. Hays and Jack Alicoate, who spoke generally on industry affairs.

Members initiated were Leo Spitz, Walter Futter, Joseph Friedman, Rubey Cowan, Ira Cohn, Harry Black, Walter Reade, George Balsdon, Rutgers Neilson, Robert Savini, Jay Emanuel, Earle Sweigert, U. K. Whipple, Jack Kraker, William Ganz, E. W. Hammons, Harry Holms, Morris Kutinsky, Otto Madsen, Ben Shlyen, Moe Silver, Jeffrey Bernerd, H. Blumenthal.

Jay C. Flippen was master of ceremonies of entertainment following a dinner. Among those appearing were Frances Langford, Henny Youngman, Jon Hall and Alan Prescott.

Among those present were: C. C. Moskowitz, Sam Rinzler, Louis Frisch, W. H. Cadoret, R. J. O'Donnell, Herman Robbins, Marvin Schenck, Harry D. Buckley, M. A. Schlesinger, E. W. Hammons, J. R. Grainger, George Dembow, Herman Rifkin, William Brandt, Harry Brandt, Abe Montague, P. A. Powers, A. C. Hayman and James J. Walker.

DEP'T OF JUSTICE STUDYING DECREE

Three Firms Face New Bill

Universal, Columbia and United Artists are ready to oppose the Government's amended bill of complaint which Department of Justice officials say will be filed in U. S. District court here next Tuesday.

The complaint will constitute an entirely new anti-trust suit against the three non-consenting companies, if the consent decree eliminating the other five majors is approved by the Federal court as expected.

Spokesmen for the non-consenting companies are doubtful whether the Government can find sufficient basis to establish a cause of action against them, in substantiation of the new bill of complaint. For this reason, they anticipate some possibility of winning a dismissal of the new anti-trust suit for failure on the part of the Government to state a cause of action.

If no ready dismissal of the case is won in this manner, the non-consent

(*Continued on page 6*)

'World in Flames' Pa. Ban Rescinded

PHILADELPHIA, Oct. 24.—The Pennsylvania censor board today reversed itself and rescinded its order banning Paramount's "The World in Flames" from exhibition in the state.

The action was taken at a rehearing here today at which the picture was approved without reservations or eliminations. The board had banned the film last Friday, terming it "improper" and tending to "corrupt and debase morals."

Jackson's Approval Not Expected at Capital Before Monday

WASHINGTON, Oct. 24.—What may be the final draft of the consent decree proposals was turned over to the Anti-Trust Division of the Department of Justice here this afternoon and was immediately taken under study to determine whether it meets with the approval of the department.

The Government's answer will await final approval by Attorney General Robert H. Jackson, which is not expected before Monday. Jackson gave his informal approval some time ago. Meanwhile, the Department indicates that today's study may develop the need for minor changes, in which case joint discussions with the consenting companies' attorneys will be necessary.

The changes, however, if any, are not expected to be numerous or of great significance, in which event it is not believed they would delay presentation of the decree to Federal Judge Henry W. Goddard in New York next Tuesday, which is the Department's aim.

Assistant Attorney General James Hayes is expected to arrive from New York tomorrow to be on hand to discuss with Department officials the advisability of making any changes in the draft.

Regional Suits Halted Pending N. Y. Action

Further preparations for trial of the Government anti-trust suits at Buffalo, Nashville and Oklahoma City

(*Continued on page 6*)

TWO ARE KILLED AS NAZIS BOMB SOUND CITY STUDIO IN ENGLAND

Two members of a production unit were killed and a third injured on Wednesday when a bomb dropped by a Nazi air raider exploded at the Sound City Studio near London, where Paul Soskin is producing "Quiet Wedding" for Paramount release.

The information was contained in a cable yesterday to John W. Hicks, foreign vice-president, from David E. Rose, managing director in England. It indicated that production is going ahead and the film will be finished by the end of the week.

Leaders to Attend Meeting on Unity

Leaders of the motion picture industry, stage and radio will attend a luncheon at the Hotel Astor on Monday to plan the Mobilization for National Unity being conducted in Greater New York by the National Conference of Christians and Jews.

Invitations to industry leaders to attend the luncheon have been issued by Martin Quigley, president of

(*Continued on page 6*)

Courtesy, Service

LEW HECK of the Cincinnati Times Star wrote recently:

"Sunday night I went to the RKO Paramount. Midway in the show (and the theatre was packed) an usher found me and handed me an envelope. It contained a dime I had overlooked in picking up my change. The usher must have spent fully an hour trying to locate me in that theatre. I am keeping that envelope and its contents as a souvenir of modern streamlined courtesy and honesty."

Studios Ponder Wage-Hour Changes

HOLLYWOOD, Oct. 24.—A two-day meeting of studio managers with Fred Pelton, producers' labor representative, on the changes in the Federal wages and hours law began today. The new interpretations and classifications are being studied to determine their effect on production workers.

Meanwhile, the Screen Office Employes Guild today added Universal and Republic as companies at which it will act as collective bargaining agency, having won an N.L.R.B. election yesterday. The Guild had previously won at RKO and Columbia. M-G-M employes will vote tomorrow.

'Dictator' Bookings Set in New England

NEW HAVEN, Oct. 24.—"The Great Dictator" has been booked to open at Loew-Poli theatres in this area on Oct. 31. It is scheduled on that date for Bridgeport, Meriden, New Haven, Hartford, Springfield and Worcester.

Advanced prices for the runs will all be 75 cents for matinees and $1.10 for evenings, on a continuous run policy.

May Film Thurber Book

HOLLYWOOD, Oct. 24. — Nunnally Johnson, 20th Century-Fox producer, tonight left for New York to discuss with James Thurber a film of his "My Life and Hard Times."

Lindy's INC.

RESTAURANTS

1626 BROADWAY 1655

(Next to the Rivoli Theatre) (51st Street Corner)

For over 20 years the luncheon and dinner place for Motion Picture People

Sole agents in New York for FAMOUS

BLUM'S ALMONDETTES

from

San Francisco, California

Personal Mention

AMBASSADOR JOSEPH P. KENNEDY is scheduled to arrive on the *Atlantic Clipper* from Lisbon tomorrow.

•

ADOLPH ZUKOR, Paramount board chairman, will leave for the Coast in a week to cast his ballot there in the National election, Nov. 5.

•

R. J. O'DONNELL will leave for Dallas tomorrow. He shortly will go to the Coast to participate in Paramount production conferences about Nov. 10.

•

WILLIAM A. SCULLY, general sales manager of Universal, left yesterday for Boston, and will return over the weekend.

•

CARTER BARRON is in town from Washington, in connection with a testimonial dinner to LAWRENCE W. ROBERT, JR., former treasurer of the Democratic National Committee.

•

KARL HOBLITZELLE is back in Dallas after recuperating from a rheumatic attack in California.

•

JAMES ROOSEVELT left for the Coast by plane yesterday.

•

ARTHUR MAYER, managing director of the Rialto, was home ill with a cold yesterday.

•

ROBERT B. WILBY left for Charlotte yesterday.

WATTERSON R. ROTHACKER, Hollywood vice-president of Quigley Publications, is in town from the Coast.

•

JOSEPH VOGEL, DAVID BERNSTEIN, HARRY BERNSTEIN, CHARLES C. MOSKOWITZ, SOL EDWARDS, IRVING SHAPIRO and ARCHIE MAYER having lunch at Lindy's (next to the Rivoli) yesterday.

•

HAL HORNE, ARTHUR GOTTLIEB, JACK GOETZ, J. J. MILSTEIN and JOSEPH PINCUS lunching yesterday at Lindy's (51st St.).

•

COLVIN BROWN, TERRY RAMSAYE, TESS MICHAELS, LAWRENCE LIPSKIN, WILLIAM MCHALE, MARVIN SCHENCK, EUGENE PICKER, LOU POLLOCK and WALTER FUTTER at the Tavern yesterday for lunch.

•

OSCAR A. DOOB, SAM RINZLER, SAM SHAIN, ED SCHNITZER, JOHN W. HICKS, SIDNEY PHILLIPS, ED SAUNDERS, TED O'SHEA, CARTER BARRON, TOM ROBINSON, OWEN DAVIS, RUBE JACKTER, LOU WEINBERG, TOBY GRUEN and WILLIAM ORR at Nick's Hunting Room in the Astor yesterday for lunch.

•

ARTHUR LOEW, CLAYTON BOND, JACK KIRKLAND, BEN BOYAR, DAVE BLUM, MORT SPRING, SIDNEY KINGSLEY, JOSEPH ROSTHAL and WILLIAM MELNIKER having lunch yesterday at Sardi's.

•

NORMAN ELSON has left on a trip.

Hanbury Successor Decided Next Week

Decision on a successor to the late Ralph Hanbury as RKO managing director for England will be decided next week after conferences between Phil Reisman, RKO vice-president and foreign head, and the company's European managers.

Reeisman will arrive from South America tomorrow on the *Argentina*. Coming from Europe for the conferences are Reginald Armour, Continental European manager, who will arrive from Lisbon on the *Exochorda* today, and Jack Kennedy, who is scheduled to arrive on the *Atlantic Clipper* from Lisbon this weekend. Kennedy has been in charge of RKO's London office since Hanbury was killed in his home during a German air raid.

Kent Is Due From Coast on Monday

Sidney R. Kent, president of 20th Century-Fox, will return to the home office on Monday, following about two weeks of conferences with studio executives in Hollywood.

Capital to See 'Reuter's'

WASHINGTON, Oct. 24.—Warners will show "A Dispatch from Reuter's" Monday night to members of the House and Senate and the diplomatic corps. The showing will be at the Department of Interior auditorium under sponsorship of the English-Speaking Union.

Paramount Pep Club Holds Party Tonight

The Paramount Pep Club will hold its annual dinner and dance in the Belvedere Room of the Hotel Astor tonight with about 700 persons expected. Robert Weitman, Dick Enge and Ted Schreiner head the entertainment committee.

Announcement will be made of winners in Paramount's "Production Ideas" contest. Frances Langford, Jon Hall, Romo Vincent and Tommy Reynolds and his orchestra will provide the entertainment.

RKO Managers to Hold Party Monday

The annual RKO theatre managers' dinner will be held Monday at Toots Shor's Restaurant. Their wives and feminine friends, meanwhile, will be guests of RKO at a Broadway stage show of their choice. Later the women will join the managers at the Hurricane Club. John J. O'Connor, head of theatre operations, will be host at the dinner.

They Love Hellinger

A "We Love Mark Hellinger Week" luncheon was held yesterday by the Banshee Club at the Waldorf-Astoria, honoring Mark Hellinger, Warner producer. Jack L. Warner spoke. Entertainment was provided by Charlie Chaplin, Ray Bolger, Abbott & Costello, Jack Haley, Dwight Fiske, Romo Vincent and Gene Autry. Bugs Baer was master of ceremonies.

Newsreel Parade

CAMPAIGN activities of the Presidential candidates, Roosevelt speaking in Philadelphia and Willkie in New York, make for a zestful feature in the newsreels. Air raid damage in London is reviewed in a grim bit of war news while navy maneuvers, an ice show and football round out the issues. The contents:

MOVIETONE NEWS, No. 214—Roosevelt and Willkie in campaign speeches. Navy maneuvers. St. Paul's Church in London hit by bomb; factories function in London; American pilots join the R. A. F. as the British air chief discusses war activities. "It Happens on Ice" show at Center Theatre. Football.

NEWS OF THE DAY, No. 212—Candidates in campaign talks. St. Paul's Church bombed. Americans join the R. A. F. "It Happens on Ice" show. Navy maneuvers. Football.

PARAMOUNT NEWS, No. 17—New army cars tested in Detroit. Rodeo in Oklahoma prison. New toys for Christmas. Wreckage in London; R. A. F. increases activities. Football. Candidates in campaign talks.

RKO PATHE NEWS, No. 17—Willkie and Roosevelt talks. Navy maneuvers. Landmarks in London blasted by air raiders. Ice show in New York. Football.

UNIVERSAL NEWSREEL, No. 922—U. S. Fleet in war maneuvers. Parliament Building in London hit by bomb. R. A. F. off to battle. Americans enlist in R. A. F. Candidates bid for votes. Rodeo in Texas. Football.

UA Board Honors M. A. Shea Memory

The board of directors of United Artists has adopted a resolution honoring the memory of Maurice A. Shea, one of the founders of the Feiber & Shea Circuit, who died this week. The resolution follows:

"The executives and employes of United Artists Corp., sincerely regret the passing of Maurice A. Shea, one of the oldest and valued customers of the company. For 21 years he has exhibited United Artists motion pictures in his many theatres.

"Therefore, be it resolved unanimously that the directors and executives express to the members of his family and to his organization sincere sympathy. May his soul rest in peace."

Now 'Escape to Glory'

"Escape to Glory" is the final title under which Columbia's production, "Passage West," will be released.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

the BOSS writes an AD!

WESTERN UNION

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable sign above or preceding the address.

SIGNS

DL = Day Letter
NM = Night Message
NL = Night Letter
LC = Deferred Cable
NLT = Cable Night Letter
Ship Radiogram

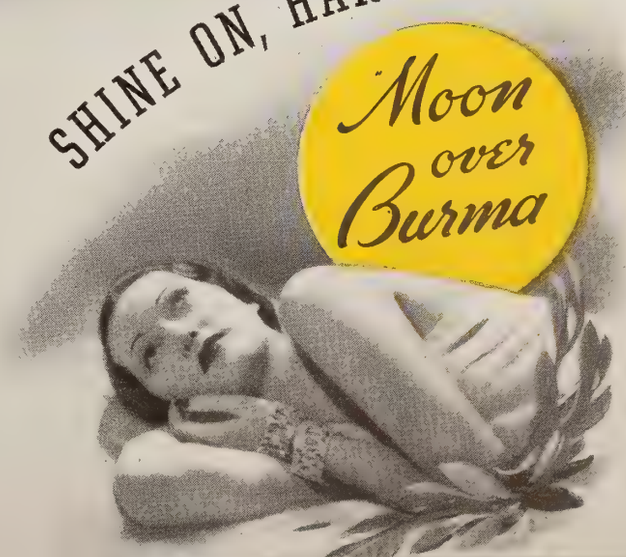
DAYLETTER OCTOBER 21 1940

TO ALL DISTRICT MANAGERS

WEEKEND OPENINGS "MOON OVER BURMA" GENERALLY EQUAL OR EXCEED "TYPHOON." THOUSANDS OF RADIO AND NEWS DISPATCHES CONCERNING BURMA ROAD ADD A PLUS VALUE TO THIS ALREADY FINE BOX OFFICE ATTRACTION. OUR OWN AD CAMPAIGN ONE OF THE BEST OFFERED TO DATE. "MOON OVER BURMA" SHOULD PLAY SOLID "A" TIME. IF HANDLED PROPERLY WILL OUTGROSS "TYPHOON." PLEASE RELAY. REGARDS

NEIL AGNEW

SHINE ON, HARVEST "MOON"



DOROTHY LAMOUR
ROBERT PRESTON
PRESTON FOSTER
in
"MOON OVER BURMA"

with **Doris Nolan** · **Albert Basserman** · Screen Play by Frank Wead, W. P. Lipscomb and Harry Clork · Based on a Story by Wilson Collison · A Paramount Picture · Directed by LOUIS KING



First week breaks all-time money record for the **CAPITOL THEATRE, New York,** under *any* policy for *any* picture.

ASTOR THEATRE, New York.
capacity and standees at every performance. (This includes all matinees, evenings and special 6 p. m. Sunday shows.) Advance sale, 8 weeks ahead, points to record-breaking long run engagement.

Philadelphia, Aldine—October 23rd
Pittsburgh, Warner's—October 25th
Chicago, Apollo and Roosevelt—October 31st
Buffalo, Great Lakes—October 31st

And starting October 31st over the entire
LOEW CIRCUIT at advanced prices!



Charlie Chaplin

talks in his new comedy

in The Great DICTATOR

Produced, written and directed by CHARLES CHAPLIN

with PAULETTE GODDARD

JACK OAKIE · HENRY DANIELL · REGINALD GARDINER
BILLY GILBERT · MAURICE MOSCOVICH

Released thru United Artists

Justice Dep't Now Studying Decree Terms

(*Continued from page* 1)

by the five consenting companies will be halted at once pending Federal court action on the New York suit consent decree, it was learned yesterday.

The suspension of work on the suits is in line with an agreement with Government representatives. Inasmuch as the New York decree, if approved, will eliminate the five consenting companies as defendants in the three out-of-town suits, it was agreed that considerable legal expense, time and effort could be spared if the latter suits were suspended for the time being.

In addition, the hearing on the Balaban & Katz consent decree violation case, also being disposed of through the New York suit settlement, will be postponed indefinitely when called by the special master in Ottawa, Ill., next Monday. If the New York decree is approved by Judge Goddard, the B. & K. violation case then will be dismissed.

Three Firms Face New Complaint

(*Continued from page* 1)

ing companies will be prepared to ask for full bills of particulars, for answers from the Government to interrogatories and other preparatory safeguards such as occupied the opposing forces in the pending New York suit for almost two years prior to the trial date.

These companies have consistently maintained that they will not accept a consent decree in any form and, so far as can be learned, their determination in this respect appears to have increased rather than lessened.

If the Government is unable to win a court victory over the three companies by June 1, 1942, the consent decree which the other five majors are accepting will automatically become inoperative.

Chicago Flocks to 'Police' Premiere

(*Continued from page* 1)

theatres. Introduced were Cecil B. DeMille, director of the picture; Gary Cooper, Madeleine Carroll, Paulette Goddard, Preston Foster, Robert Preston and Lynne Overman. They also appeared at each house.

The premiere, with both theatres at capacity, climaxed a four-day celebration. Earlier in the evening there was a half-hour broadcast over the Mutual network coast-to-coast, and this morning thousands turned out for a parade in which the Hollywood group rode through a hail of ticker tape. Three American Legion bands and a troop of 50 uniformed Mounties were in the procession.

Most of the Hollywood players will continue on personal appearances in Midwest cities, while DeMille and Cooper are due in New York Saturday.

Hollywood Review

"Hullabaloo"

(M-G-M)

HOLLYWOOD, Oct. 24.

INTRODUCING, Ladies and Gentlemen, Louis K. Sidney, one-time stage show and radio producer for Loew's and M-G-M, now motion picture producer and displaying in this, his first film, fruit of a talent, ripened by a lifetime of showmanship. The picture is a mad, immensely amusing and, by preview test, explosively entertaining comedy.

Scene is the world of radio, backstage and front office, and among the materials used is a comic version of the Martian broadcast which melodramatized Orson Welles. This is, however, but an incident in the build-up to sequences wherein a supposed vocal impersonator uses the voices of Wallace Beery, Clark Gable, Mickey Rooney, Hedy Lamarr and virtually the whole array of M-G-M's star talent (supplied by sound-track) for effects that throw customers into the aisles. It's unorthodox and giddy, but funny to the point of hysterics.

Principal performer is Frank Morgan, playing a down-at-heel actor breaking into radio, with such dependables as Billie Burke, Donald Meek, Reginald Owen and Nydia Westman giving comedy support. Charles Holland, Negro vocalist with voice and technique of Met magnitude, and Virginia O'Brien, who swings a ballad with a dead-pan delivery that stops the show twice, are standouts in solo numbers. Virginia Grey and Dan Dailey, Jr., handle the romantic assignment effectively.

Direction is by Edwin L. Marin from a screen play by Nat Perrin derived from an idea by Bradford Ropes and Val Burton. The film is a credit to these and all others involved.

Running time, 78 minutes. "G."* ROSCOE WILLIAMS

**"G" denotes general classification.*

Leaders to Meet on Unity

(*Continued from page* 1)

Quigley Publications; Jack Cohn, vice-president of Columbia, and J. Robert Rubin, vice-president of M-G-M.

The chief speaker will be Basil O'Connor, chairman of the National Unity Mobilization.

In their invitation, the three executives said:

"For many years, the National Conference of Christians and Jews has labored in the field of better understanding and has done much to establish amity and goodwill among the members of all faiths.

"Maybe we have grown callously accustomed to the prejudices and hatreds fostered by interested groups; yet, at a time when national defense and unity is rightly demanded, it is essential that this should be strengthened by a mobilization of moral and spiritual values."

Among those who have accepted invitations to attend are:

Neil F. Agnew, Jack Alicoate, Willard Alexander, Louis Astor, Leon J. Bamberger, Louis Bernstein, Joseph Bernhard, Walter Bibo, Max Blackmer, Nate J. Blumberg, Harry Brandt, Jules E. Brulatour, Harry H. Buxbaum, Irving Caesar, J. Cheever Cowdin, Philip Dunning, Donald Flamm, Sam M. Forrest, Louis Frisch, Morris Goodman, Stanton Griffis, Toby Gruen, Will H. Hays, J. H. Hoffberg, Maurice Kann, Austin C. Keough, Joseph J. Lee, Carl E. Milliken, Alec Moss, James Mulvey, Charles E. McCarthy, S. Barret McCormick, Louis Nizer, Brock Pemberton, Louis Pollock, Sam Rinzler, Luther Reed, Herman Robbins, Sam Rosen, Morris Sanders, R. M. Savini, Fred Schwartz, Joseph Seidelman, Sam Shain, T. K. Stevenson and C. J. Tevlin.

SMPE Told of Developments

HOLLYWOOD, Oct. 24.—Four outstanding technical developments were described to the Society of Motion Picture Engineers convention today at the Hollywood Roosevelt Hotel here.

The developments are a new type of silent camera, a portable film sound recording unit weighing 50 pounds, a method of protecting film against scratches and surface damage, and new method of rating camera and projector lenses.

This morning's general session featured reports of the committee on exchange practice and the committee on theatre engineering. A studio visit occupied the delegates during the afternoon. The evening general session was held at the Walt Disney studio theatre.

The new camera was described by D. B. Clark and Grover Laube of 20th Century-Fox. D. Y. Bradshaw of March of Time gave details of the portable recording unit. R. H. Talbot of Eastman Kodak outlined the new method of protecting film through the use of a special lacquer, and the lens rating development was described by Clark.

Two laboratory sessions and a television session in the evening will conclude the five-day convention tomorrow.

Broadcasting By Candidates Hits Grosses

(*Continued from page* 1)

films when denied their usual diet of radio fare.

Managers and theatre executives feel that radio appeals will cause serious dents until after the campaign. The John L. Lewis speech tonight is expected to attract wide interest. Bookings for political speeches are on a day-to-day basis and the networks are having a difficult task clearing time for last minute requests.

Six Big Broadcasts

Tentative bookings thus far arranged on the networks are for tomorrow, Tuesday and next Saturday evenings for Wendell Willkie and for Tuesday, Wednesday and Friday evenings for President Roosevelt. Yesterday both candidates spoke but the talks were during the day.

On Thursday, 10:30-11 P. M., Eastern time, the Democratic National Committee will sponsor "Hollywood's Salute to the President," on which will be heard Pat O'Brien, Walter Huston, Henry Fonda, Groucho Marx, Hugh Herbert, Dorothy Lamour, Sally Eilers, Andy Devine, John Ford and several others. This program is under the direction of O'Brien, Joan Bennett, Bryan Foy, Sid Grauman and Harry Joe Brown. On election eve, the Democratic committee has exclusive use of NBC-Red, NBC-Blue and Mutual from 10-12 midnight, Eastern time, and also of CBS from 11-12, Eastern time. This two-hour show also will feature many Hollywood celebrities.

'Rockne' Grosses $42,000

"Knute Rockne — All American," with Woody Herman's band on the stage, grossed an estimated $42,000 in its first week at the Strand. It will start its second week today. At the Roxy, "Down Argentine Way" with a stage show drew an estimated $49,000 and also was held.

The second week of "They Knew What They Wanted" with stage show took an estimated $65,000 at the Music Hall and was followed yesterday by the long delayed opening of "The Westerner." "So You Won't Talk" drew an estimated $5,000 at the Rialto. "Meet the Wildcat" opened there Wednesday.

'Maggie' Midnight Opening in Atlanta

(*Continued from page* 1)

John Hubbard, Lois Ransom and Judy Canova, who made short speeches. Among Republic representatives present were Herbert J. Yates and Arthur Bromberg.

A street carnival outside the theatre was held for an hour before the opening, with prizes given for best costumes. Tickets to the premiere were $1.00 and $1.50, with the Atlanta Debutante Club charity fund benefiting. The opening was covered by newspapermen from nearby cities.

LIGHTING EXPERTS

BESIDE the camera and behind the lens, lighting experts work in perfect agreement. Cameramen depend implicitly on the ability of Eastman negative films to bring out the best in every scene. The beauty of modern productions is striking evidence of the success of this partnership.

Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., ***Distributors***

Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

F.C.C. Approves Power Increase For 16 Stations

WASHINGTON, Oct. 24.—The Federal Communications Commission has granted the requests of 16 broadcasting stations for increases in power. Stations WJAR, Providence; KARK, Little Rock, Ark.; WMMN, Fairmont, W. Va.; KPRC, Houston, Tex.; KOMO, Seattle, and KRNT, Des Moines, were authorized to increase their night power from 1,000 to 5,000 watts; WBRY, Waterbury, Conn.; KFEL, Denver, and WPEN, Philadelphia, were granted increases from 1,000 to 5,000 watts, day and night; WBAA, W. Lafayette, Ind., increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day; KFUN, Las Vegas, Nev.; KENO, Las Vegas, Nev., and KFOR, Lincoln, Neb., increase night power from 100 to 250 watts; WTJS, Jackson, Tenn., increase power from 250 to 1,000 watts and change of frequency from 1,310 to 1,360 kilocycles; KLPM, Minot, N. D., increase night power from 500 to 1,000 watts, and WTAW, College Station, Tex., increase day power from 500 to 1,000 watts.

California and Florida Hearings

The commission announced that on Oct. 31 it will hear oral argument on the application of the Worcester Broadcasting Corp. for a new 1,420-kilocycle, 250-watt station at San Diego, Cal., and ordered set for hearings, on dates later to be fixed, the applications of the Pan-American Broadcasting System, Inc., Hollywood; Keys Broadcasting Co., Key West; Atlantic Broadcasting Corp., Miami; Central Broadcasting Corp., Sanford; Seaboard Broadcasting Corp., Tampa; Atlantic Broadcasting Corp., West Palm Beach, and Carl Sholtz, Miami, for seven new stations in Florida; WARM, Scranton, Pa., for a license for a new 1,370-kilocycle, 250-watt station; Station KOWH, Omaha, for change of frequency from 660 to 890 kilocycles; increase of time from day to unlimited and increase of power from 500 to 5,000 watts, and Station KUSD, Vermillion, S. D., for change of frequency from 890 to 660 kilocycles, and change of hours to day only.

Autry to Be Rodeo Host to Youngsters

Republic will sponsor parties for children from the Metropolitan area tomorrow and Sunday, in connection with Gene Autry contests held in theatres playing Autry westerns regularly. Tomorrow, 100 children from Staten Island, Brooklyn, Queens and Long Island will be Autry's guests at a luncheon at the Hotel Astor, and later attend the Rodeo with his compliments. On Sunday, another 100 youngsters from New Jersey and Connecticut will attend similar parties.

Ban 'Reefer Madness'

NEWPORT, R. I., Oct. 24.—The Board of Aldermen by unanimous vote, and acting on a complaint to City Hall, banned "Reefer Madness," which was scheduled to play at the theatre operated by Gerald Wagner here.

Off the Antenna

MADISON Square Garden officials yesterday said that their attitude toward the telecasting of sporting and other events from the Garden remains unchanged, and that they will continue to permit NBC to televise shows from time to time. This permission will continue until television develops a commercially important audience, it was said.

• • •

Purely Personal: *Edmund Chester has resigned as head of the Latin-American division of Associated Press to become CBS director of broadcasting to foreign countries. He will start his new duties Nov. 6. . . . Sue Reed, fashion commentator for Paramount News, will be guest of Lanny Ross over CBS, Monday at 7:15 P.M. . . . Morton DaCosta is directing "Great Days in Dayton" which starts over WHIO, Dayton, Ohio, at 5 P.M. Sunday. . . . Eunice Healy will be guest on the start of "Bill Berns' Show Shop" over WBNX Sunday at 11:30 P.M. . . . Sig Caldwell, associate editor of* Aero Digest, *is the new aviation commentator for Mutual.*

• • •

There will be few stations in the country Tuesday which will not broadcast the selection of the first draftee numbers by Secretary of War Henry Stimson. WHOM and WAAT, both of Jersey City, will make immediate efforts to locate some of the first men chosen in Hudson County and bring him to the microphone at 12:45 P.M. when the Washington broadcast ends.

• • •

Program News: *"America's Town Meeting of the Air" will change its policy when it resumes over NBC-Blue for its sixth season Thursday, Nov. 14, at 9:35 P.M. Three programs, instead of one, will be devoted to each central topic. . . . Dorothy Thompson has added 12 sponsors to her cooperative show over Mutual to bring the total to 22 cities where she is now sponsored. . . . WMCA on Wednesday will start local airings of "Friendship Bridge," prepared by British-American Ambulance Corps for short wave transmission to England. Joan Crawford will be heard on the first program to be broadcast locally.*

• • •

Harry Engel, who has been associated with various music concerns for the past 18 years, has been appointed head of the Los Angeles office of Broadcast Music, Inc., it was announced yesterday. Engel was also formerly associated with Fanchon & Marco. It was disclosed yesterday that WSLS, Roanoke, Va., had joined BMI.

Will Televise Major Parties' Final Rallies

Final rallies of the Republican and Democratic parties next week will be televised by NBC, Niles Trammell, NBC president, announced last night. W2XBS returns to the air today with a test pattern and its first program, a film, will be telecast Sunday.

Will Start at 8:30

The rallies will go on the air from 8:30 P.M. to the close and are expected to be particularly popular in bars and restaurants, where television sets have been useless for the three months NBC television was dormant. Both rallies will be in Madison Square Garden, with President Roosevelt addressing the Democrats on Monday and Wendell Willkie at the Republican rally the following Saturday.

Estimates 40,000 Viewers

Two cameras will be used and a setup found successful at the Philadelphia Republican National convention last June will be used. In making the announcement, Alfred H. Morton, vice-president in charge of television, estimated that 40,000 persons will see the telecasts over the estimated 4,000 receivers in the metropolitan area. Morton was careful to point out, however, that no regular schedule is contemplated at this time.

GN Creditors Final Allowances $16,600

Final allowances aggregating $16,600 were authorized to Grand National Pictures' creditors by Federal Judge Murray Hulbert yesterday. They will be paid out of a cash on hand fund of $72,401, which is being augmented by receipts from Grand National pictures still in distribution.

Claims previously authorized by the court were $30,000 taxes and $15,000 to wage claimants, representing payment in full. The allowances authorized yesterday were: $7,750 to Dannenberg & Hazen, attorneys for the Grand National trustee; $2,100 to Harry G. Fromberg, trustee; $3,000 to Radin & Goldstein, accountants; $2,250 to Saul E. Rogers, attorney for Grand National, and $1,500 to other attorneys.

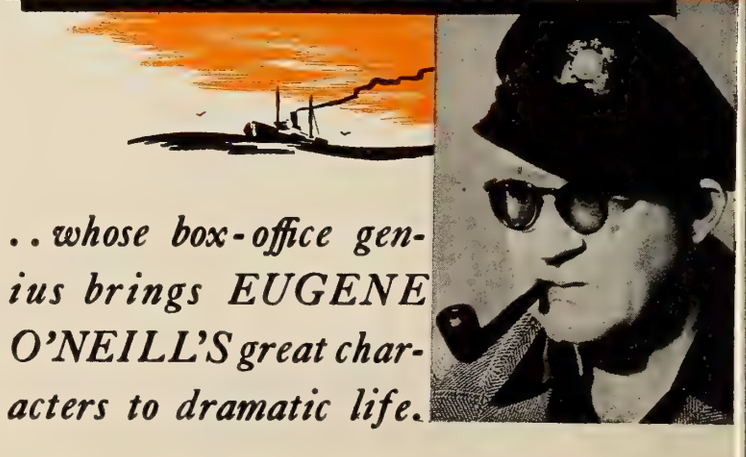
Indianapolis Gives 'Rockne' Big $12,500

INDIANAPOLIS, Oct. 24.—"Knute Rockne—All American" drew a smash gross of $12,500 at the Circle, with "Money and the Woman" sharing the bill.

Estimated takings for the week ending Oct. 18:

"Knute Rockne—All American"(W. B.)
"Money and the Woman" (W. B.)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $12,500. (Average, $6,000)
"Down Argentine Way" (20th-Fox)
"Public Deb No. 1" (20th-Fox)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $6,500. (Average, $5,500)
"The Howards of Virginia" (Col.)
"The Lady in Question" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $6,000. (Average $7,000)
"The Gay Caballero" (20th-Fox)
LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: Ina Ray Hutton Orchestra; Hibbard, Bird & LaRue; Fid Gordon. Gross: $7,000. (Average, $8,000)

This is John Ford..



..whose box-office genius brings EUGENE O'NEILL'S great characters to dramatic life.

JOHN FORD, famous for his powerful, money-pictures, surpasses even his "Grapes of Wrath", "Stagecoach" and "The Hurricane" with "THE LONG VOYAGE HOME", presented by Walter Wanger and released thru United Artists.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 84 NEW YORK, U. S. A., MONDAY, OCTOBER 28, 1940 TEN CENTS

FILE COPY DO NOT REMOVE

Air Attacks on London Close 100 Theatres

Only Six Open in City's West End District

LONDON, Oct. 27.—More than 100, or approximately 20 per cent of London's film theatres are closed because of the incessant air bombings in the Nazi blitzerkrieg or for other reasons.

In the entire West End area, the city's theatrical district, only the Empire, Warner, Ritz, Plaza, Gaumont and Regal are open. However, it is understood authoritatively that several of the West End houses which are undamaged may open experimentally in the near future on Saturday and Sunday only. Extension of their operation is considered likely if the weekend policy proves successful.

Meanwhile, the Army Council, rebuffed by the film industry in its effort to take control of the supply of films for the entertainment of the country's armed forces, will meet again

(*Continued on page 4*)

Roosevelt Quits as Soundies President

HOLLYWOOD, Oct. 27.—James Roosevelt over the weekend announced his resignation as president of Soundies Corp. of America, stating that he will be unable to participate actively because of his service in the Marine Corps Reserves, in which he is a captain. He remains as vice-president and a director of the company, but has obtained leave of absence.

This will not affect Roosevelt's Globe Productions, which will continue to make films for the Mills "Soundies" machines. Roosevelt is also working on "Pot o' Gold" for U. A. release.

Unity Lunch Today

Leaders of the film industry, as well as stage and radio, will meet at a luncheon at the Hotel Astor today to hear plans for the Mobilization for National Unity being conducted by the National Conference of Christians and Jews. The invitations were issued by Martin Quigley, president of Quigley Publications; Jack Cohn, vice-president of Columbia, and J. Robert Rubin, vice-president of M-G-M.

Majors, NBC Weigh Latin America Show

Representatives of six major companies will meet with NBC executives at luncheon tomorrow to discuss possible sponsorship of a Hollywood program beamed by short wave to Latin America. J. S. Hummell will represent Warners; John W. Hicks, Paramount; Joseph H. Seidelman, Universal; Phil Reisman, RKO; Arnold Picker, Columbia, and David Blum, M-G-M. John Royal, NBC vice-president in charge of new developments, and Lunsford P. Yandell, manager of the international short wave division, will represent the network.

I. A. Report on Autonomy Ready

HOLLYWOOD, Oct. 27.—Report of the I.A.T.S.E. studio labor committee which recently completed a three-month study of the autonomous operations of Hollywood locals, has been completed and forwarded to the international's executive council.

The study of the committee, whose members included Sal Scoppa and Thomas Murtha of New York, included unsuccessful efforts to iron out numerous internal problems arising from conflicting jurisdictional claims of the I. A. studio locals. Most

(*Continued on page 4*)

DECREE TO COURT WITHOUT CHANGES

Revisions, If Any, Will Be Minor, Which May Be Made in Washington Where Jackson Is Expected to Give His Approval

The completed New York consent decree will be presented to Federal Judge Henry W. Goddard here tomorrow if the approval of Attorney General Robert H. Jackson is given the document today, which is expected. Changes which may come from Washington, if any, will be minor, with no revisions of the decree in substance, according to officials.

Judge Goddard will be asked to set a date for a public hearing. This may be a week or two from tomorrow, but sufficient time will be given exhibitor groups and others interested to obtain copies of the decree and prepare their objections.

Government attorneys said over the weekend that though they do not recognize exhibitors as having legal standing in the case, they would recommend to the court that they be given an opportunity to put their objections on record. The Government is expected to oppose any attempt by exhibitors to intervene in the proceedings.

There is no assurance that the decree will be made public tomorrow even though it is presented to the court. The master draft is a 50-page document of more than 10,000 words. Rules of arbitration, which supplement the decree, account for an additional 14 pages.

The completed decree as sent to Washington contains no basic changes

(*Continued on page 4*)

DuMont Starts Its Telecasts

Allen B. DuMont Laboratories, affiliate of Paramount, late last week broadcast its first television program over its station W2XWV.

Unannounced and without knowledgs of the trade, a special program was telecast with John L. Callahan, vice-president of the Radio Club of America, speaking from the DuMont studios to a meeting of the club at Columbia University.

Since the sound channel has not yet been installed, a telephone wire and loud speaker hookup was used. W2XWV has had test patterns and occasional still pictures on the air

(*Continued on page 4*)

Most Broadway Theatres Will Give Election Returns

Most Broadway houses will feature some type of announcement of returns on Election Night, a survey revealed over the weekend, but feature films will not be interrupted. In anticipation of huge crowds at Times Square, the Paramount, State and Capitol will add midnight shows.

Other houses will decide on midnight shows later this week or wait to see how business shapes up during the early evening. The Music Hall and Astor will make no election announcements whatever.

Several managers expressed the opinion that those who go to the theatre on Election Night are not interested in getting immediate returns and that those who were would probably stay home to listen to the radio.

The Roxy has arranged a tieup with the *Journal-American*. A theatre representative will be in the newspaper's office and will flash returns by telephone to a girl in the rotunda of the house. She will mark returns on a big chart. The Paramount will install a ticker and results will be flashed on the screen from time to time.

Woody Herman, who heads the stage show at the Strand, will read the results during his performance. At the Capitol, State and Criterion announcements will be made from the stage at regular intervals while the Rialto will use a public address system to report returns. The latter houses, and most neighborhood theatres, will rely on the radio for the information.

Raise Prices on Big Films Only: De Mille

Higher admissions cannot be made a general policy, but should be instituted for films of sufficient strength to warrant the increase, in the opinion of Cecil B. De Mille, who arrived on Saturday from Chicago for a brief stay here.

The production of better pictures is the answer to the demand for increased revenues made necessary by the loss of the foreign market, since production costs cannot be cut to any appreciable extent because of higher labor costs, he said.

De Mille will leave Wednesday night by train for the Coast, accompanied by Cliff Lewis, Paramount studio publicity man, and Ted Bonnett, handling De Mille publicity, who came here with him. De Mille's next picture will be "Reap the Wild Wind," in color.

Personal Mention

PAT CASEY, producers labor representative, plans to leave for the Coast at the end of the week following a brief visit here. He arrived from Hollywood a few days ago.

•

BARNEY BALABAN, Paramount president, is due from Chicago today.

•

MORT BLUMENSTOCK, in charge of Warner advertising and publicity in the East, is due back today from a vacation in Palm Beach.

•

NORMAN MORAY, Warners short subjects sales manager, plans to leave for the Coast today or tomorrow.

•

WILLIAM GRADY, M-G-M casting director, is here on a periodic talent search.

•

STANLEY HAND, Altec representative, has returned to the home office from a trip to the Midwest.

•

IRVING C. JACOCKS, JR., theatre operator of Branford, Conn., has been nominated for the Connecticut legislature from Branford.

•

CHARLES MCCLEARY, manager of Loew's Parkway, Baltimore, is ill at Sinai Hospital.

•

W. H. GOLDING, manager of the Capitol in St. John, N. B., has been elected to the City Council for a two-year term.

•

MRS. ELIZABETH MCCAFFEY, head of the research department at the RKO studio in Hollywood, is ill at her home with a heart ailment.

•

ALICE CAGLE of the Saenger publicity department in New Orleans has resigned to complete a course in flying.

•

JACK DAMERY, formerly at the Capitol, St. John, N. B., has joined the Regal Films exchange there, succeeding MORRIS NELSON, who died recently.

•

ANTHONY PETRIE, assistant manager of Loew's State, New Orleans, is recuperating from a recent operation.

Drop 'Ramparts' Appeal

PHILADELPHIA, Oct. 27.—The March of Time and RKO have dropped their appeal to the State Supreme Court from the Pennsylvania censor ban on "The Ramparts We Watch." William C. Mason, counsel, gave no reason for the decision. The Philadelphia Common Pleas Court earlier had upheld the censor action, based on the inclusion of scenes from the Nazi film, "Baptism of Fire."

'Dictator' in Indianapolis

INDIANAPOLIS, Oct. 27. — "The Great Dictator" will open at Loew's here Thursday, simultaneously with similar openings throughout the Loew key city circuit. Prices will be 75 cents matinees and $1.10 top nights. Regular scale is 28-33-44 cents. A minimum run of two weeks is expected.

Ideas Net Para. Employes $725

Cash prizes totaling $725 in Paramount's "Production Ideas Contest" were awarded employes at their Pep Club's annual party at the Hotel Astor Friday evening. Paula Seligman of the Artists Booking Bureau won a grand prize of $100 and first prize of $50 in the New York area.

Charles Brouda of the legal department was awarded second prize, $25, and there were 60 prizes of $5 each.

In the New York Paramount theatre division, Jack Bienstock won first award of $50 and Joseph Kaplan second prize of $25, with 10 receiving $5 each.

Mildred Davis of the State, Poughkeepsie, won first award of $50 in the Netco Theatres production ideas contest. Tony DeFelice, of the Bardavon, Poughkeepsie, was given a second prize of $25. There were 10 awards of $5 each.

Wobber to Attend Cincinnati Opening

Herman Wobber, 20th Century-Fox sales head, and Charles E. McCarthy, director of advertising and publicity, will head a group of home office executives leaving tomorrow for the opening of "The Mark of Zorro" at the Albee and Shubert in Cincinnati on Friday.

Three radio broadcasts, a civic luncheon, a costume ball, reception and a luncheon for critics and visitors will feature the three-day celebration, starting Wednesday. Tyrone Power, star of the film; Annabella, his wife, and Patia Power, his mother, will attend from Hollywood.

500 Attend First B'nai B'rith Dinner

More than 500 members and guests, including industry leaders, attended the first banquet and ball of the B'nai B'rith Cinema Lodge at the Hotel Pennsylvania Saturday evening. A. W. Schwalberg is president of the lodge.

Among the celebrities who entertained were Milton Berle, Benny Fields, Eugene and Willie Howard, Jon Hall, Frances Langford, Martha Raye, Ed Wynn, Benny Goodman and his orchestra, Abe Lyman and others.

RKO Drops Studio Talent Department

HOLLYWOOD, Oct. 27.—RKO over the weekend discontinued its talent department here, with Ben Piazza, in charge, and Julius Evans, who handled talent and directed tests, and Oliver Hinsdell, talent coach, all leaving. The stock company will be reduced to a minimum, with the studio concentrating on "name" players in the future. No new players have been signed lately.

Danz Names Rosenfield

SEATTLE, Oct. 27.—Joseph Rosenfield has been appointed supervisor of theatre operations for the John Danz Sterling circuit here. He will direct the operations of the Palomar, Capitol, Roosevelt, Winter Garden and Colonial in the downtown sector.

Simpson Heads A.B.P.

LONDON, Oct. 27.—R. G. Simpson has been appointed chairman and Eric Lightfoot managing director of Associated British Pictures Corp., Ltd., replacing the late John Maxwell.

Mayo to 20th-Fox

HOLLYWOOD, Oct. 27.—Archie Mayo, director, has been signed by 20th Century-Fox to a two-year contract. His first assignment will be "The Great American Broadcast."

S. P. G. Conferences Wind Up Tomorrow

A conference tomorrow between M-G-M and the Screen Publicists Guild at the National Labor Relations Board here will wind up preliminary discussions on the Guild's demand for recognition as collective bargaining agency for all advertising and publicity employes in the home offices of major companies.

Meetings were held last week with 20th Century-Fox, United Artists, Warners, Paramount and Columbia. The union has not announced its plans concerning Universal. Charles Kramer, N.L.R.B. field examiner, is in charge of the meetings.

RKO Closes Deals With Two Circuits

RKO has closed new season product deals with the Sparks Circuit in Florida and the M. A. Lightman Circuit of Memphis, both Paramount affiliates. Robert Mochrie, Eastern and Southern sales manager, who returned here Friday, acted for RKO with District Manager Dave Prince in negotiations with S. A. Lynch for Sparks, and with Prince and Al Avery, RKO Memphis manager, in the deal with Lightman.

'U' Seeks Details In Freiday Action

Universal on Friday filed application in the N. Y. Supreme Court to compel William Freiday, a director of the company and plaintiff in a stockholder suit, to separately enumerate the charges of his complaint and to strike out certain allegations as prejudicial. The application was made by Joseph Proskauer who has been retained to defend Universal, its officers and directors.

Elmer A. Shard Dies

CINCINNATI, Oct. 27.—Elmer A. Shard, 51, operator of the suburban Monte Vista and Emery theatres, died at Good Samaritan Hospital here Friday. He is survived by his wife and one son.

Dies at Paramount Party

Ernway Beay, member of the Paramount accounting department here, died of a heart attack at the Paramount Pep Club dinner-dance at the Hotel Astor on Friday evening.

N. Y. Exhibitor Killed

Harry Blinderman, 60, owner of the Palace Theatre at 2404 Second Ave., Manhattan, was killed on Friday when he fell from a ladder at the theatre.

2-Year Attendance At Fair 45,000,000

The New York World's Fair closed yesterday, with an estimated attendance of slightly more than 19,000,000 for the 170 days of this year's run. Last year's total attendance was 25,817,265 for 185 days, making an aggregate attendance for the two seasons of about 45,000,000.

Myers Again Asks Kuykendall Views

WASHINGTON, Oct. 27.—Crediting Harry Brandt, I.T.O.A. president, with having "helped exhibitors to a clearer understanding" of the consent decree by stating his full objections to the decree in response to a request, Abram Myers, Allied States chairman, today renewed his attempt to obtain a similar response from Ed Kuykendall, M.P.T.O.A. president.

Kuykendall refused last week to respond to Myers' request on the grounds that M.P.T.O.A.'s objections to the decree have been made known to the Department of Justice, to members of the organization and the trade press, and questioned Myers' right to make the request.

Myers now asserts that "the justification (for his request) was that both (Kuykendall and Brandt) had been attacking Allied and Allied leaders" for their stand on the decree.

Allied since has voted to oppose the decree, thus aligning itself with both the M.P.T.O.A and I.T.O.A.

Liveright Publishes New Book by Nizer

Louis Nizer, theatrical attorney and member of the firm of Phillips, Nizer, Benjamin and Krim, has written a book, "Thinking on Your Feet," which has just been published by Liveright Publishing Corp.

Bookers Hold Dinner

About 130 members and guests of the Motion Pictures Bookers Club were present Friday night at a get-together dinner at Leon and Eddie's.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone Circle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue. C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

FULL SPEED AHEAD!



That's the watch-word in America today...

Business is humming... the defense program is making new jobs by the thousands... people are working and going back to work...

There's more money in circulation... more people to spend it... they're looking for entertainment... crying for it... begging for it... you have it in the magnificent new pictures which every company in the business has in production or ready for release...

But... you must tell them about it! **Lead them your way... Full Speed Ahead** *with advertising that stops 'em... sells 'em... moves that impulse to buy...*

The Prize Baby of the Industry *is matching that magnificent product with theatre advertising to sell that product... full speed ahead in all forms of advertising... TRAILERS... LOBBY-DISPLAYS... POSTERS... WINDOW-CARDS... STILLS... BANNERS... CUT-OUTS... everything that helps make good grosses bigger grossers...*

Keep their feet moving your way *... cash in on this new spending power... cash in with this new selling-power...* **cash in with the Three Best Sellers in the Business** *... FULL SPEED AHEAD!*

NATIONAL Screen SERVICE • NATIONAL Screen ACCESSORIES

Decree Will Go To U. S. Court Unchanged

(Continued from page 1)

materially altering the draft of Aug. 3.

However, several revisions of the sequence of the decree's provisions were made. For example, the trade showings provision, which was formerly Clause 1, now is Clause 3; the provisions covering clearance, formerly Clause 5, now are incorporated in Clause 8; the provisions on "discrimination," which formerly constituted Clause 7, now are Clause 10.

The escape clause and the provision for a three-year limitation on the new selling methods, which prevails if the escape clause is not invoked, remain unchanged. Termination of the decree by either of these two means still will have no effect on the arbitration provisions. Those provisions are permanently established by the decree.

The consenting companies make no admission of violation of the anti-trust laws in entering into the decree.

Individual counsel for the consenting companies will sign the decree for their principals.

The three members of the arbitration appeals board will be designated by the court and will receive compensation comparable with that of a New York Supreme Court Justice. Members of local arbitration boards will receive compensation on a per diem basis, scaled according to the status of the exchange centers in which they are located.

It is believed likely that the Government's amended complaint, aimed at the three non-consenting companies, will be filed tomorrow, although the Government's petition for leave to file such a complaint may be made to Judge Goddard then. The new complaint will name all eight major defendants, their subsidiaries, officers, etc., but the five consenting companies and their associates will be dismissed as defendants in the amended complaint as soon as final court approval has been given the decree.

Pullman Cars to Roach

The Pullman Co.'s $80,000 exhibit at the World's Fair, consisting of several cars, is being dismantled and will be sent to the Coast for use by Hal Roach in his production of "Broadway Limited," which will be released by U. A.

Goldsmith Develops New Television Tube

Dr. Alfred N. Goldsmith, consulting engineer and long prominent in the film industry, has patented a small, cheap cathode ray tube which may have a strong influence on television development.

The inexpensive tubes may be used in multiple arrangement for the projection of a large image instead of the present method of a single expensive cathode tube, it is said.

Feature Review

"The Trail Blazers"

(Republic)

The establishment of telegraphic communication in the West is once again the theme of an outdoor action thriller, and in this instance a vehicle for "The Three Mesquiteers," in the persons of Robert Livingston, Bob Steele and Rufe Davis.

Barry Shipman's screenplay, an adaptation of an original story by Earle Snell, is a series of acts of sabotage, ruthless killings, fights, and the like, typical of such fare. It all culminates in the successful completion of the telegraph lines and the transmission of a message which causes the defeat of the outlaws.

Other members of the cast are Pauline Moore, Weldon Heyburn, Carroll Nye, Tom Chatterton and Si Jenks. George Sherman directed for Harry Grey, associate producer.

Running time, 58 minutes. "G."*

**"G" denotes general classification.*

DuMont Starts Its Telecasts

(Continued from page 1)

for a number of weeks. The transmitter uses only 50 watts at present.

DuMont has avoided mention of these transmissions and no preliminary announcement had been made of Callahan's talk. Since few persons turn their receivers to Channel 4, the first live show came as a considerable surprise.

At the same time, DuMont demonstrated its time-persistent tube, developed for 15-frame per second transmission. The first one, which showed the image in black and white, rather than yellow, was completed Thursday. Demonstration transmissions were made at 525 lines, at both 15 and 30 frames. The new tube is designed to retain the image long enough to avoid flicker at 15 frames.

Buy Hemingway Novel

HOLLYWOOD, Oct. 27.—Ernest Hemingway's new novel of the Spanish civil war, "For Whom the Bells Toll," has been purchased by Paramount.

I. A. Report on Autonomy Ready

(Continued from page 1)

of these jurisdictional problems had their origin in the segregation of the various workers' classifications which formerly comprised Local 37 into separate locals.

No information concerning the nature of the committee's recommendations has been received here. However, it would not surprise many labor officials here if the recommendations were to revoke the autonomy of the studio locals and return their administration to the I.A.T.S.E. president.

Ampa Drops Dues for Members in Service

The Ampa will waive membership dues for members called into military service, it was decided at a meeting of the board of directors. Leon Bamberger presided.

At the Ampa luncheon next Thursday at the Edison Hotel, Paul Terry, cartoon producer, celebrating his 25th years in films, will be guest of honor.

Television Session Ends SMPE Meet

HOLLYWOOD, Oct. 27.—With laboratory sessions in the morning and afternoon and a television session in the evening, the annual Fall convention of the Society of Motion Picture Engineers ended at the Hollywood Roosevelt Hotel here on Friday. Technical experts from all parts of the country who attended as delegates to the convention left for their homes yesterday and today. The series of technical sessions which made up the convention program began last Monday.

Light Meter Described

The development of a light meter which is said to solve one of the chief problems of photography was described during the afternoon session on Friday. The meter was described by its inventor, Capt. Don Norwood, as measuring the direct light on the subject at the light source, instead of the reflected light from the subject.

S. L. Reiches of Cleveland described a measuring system for testing motion picture sound reproducing equipment in the theatre. Other papers during the day were read by W. H. Offenhauser, Precision Laboratories; J. I. Crabtree and H. D. Russell, Eastman Kodak, and C. E. Ives and C. W. Jensen of Eastman Kodak.

Talks by Television Experts

During the concluding television session, Dr. Vladimir K. Zworykin, RCA director of electronic research, explained the mechanics and use of the electronic microscope developed under his direction. The final session included the report of the television committee by its chairman, Dr. Peter C. Goldmark, television engineer of CBS; the pioneering television coverage of the Republican convention in Philadelphia; a paper by H. R. Lubcke of the Don Lee Broadcasting System on the similarity between photography for television and motion pictures, and another by C. F. Wolcott on problems in television resolution and standards.

Air Attacks on London Close 100 Theatres

(Continued from page 1)

in an effort to overcome the impasse. The council plan called for the establishment of mobile units to show technical films and entertainment subjects without admission charge.

The council now declares that it does not seek a free supply of films, which was one of the reasons for the trade's declaration of non-cooperation, but so far has not denied the original intention to show the films to soldiers without admission charge.

However, it is considered possible that distributor and exhibitor representatives may later confer with the military authorities because of their willingness to assist in any move of a patriotic nature. Nevertheless the trade is greatly concerned with that aspect of the plan which would have 300 mobile film units offering competition to regular theatres already badly hit, and further aggravated by the mobile units of the Ministry of Information.

Connecticut Unit to Get Decree Report

NEW HAVEN, Oct. 27.—The Connecticut M.P.T.O. will meet here tomorrow, with Irving C. Jacocks, Jr., vice-president, presiding. Herman M. Levy, executive secretary, will report on the present status of the consent decree, and also on his conference with Thuman Arnold, Assistant Attorney General, during a recent visit in Washington.

Grant Defense More Time in Cassil Action

KANSAS CITY, Oct. 27.—Major distributors and the Dubinsky Brothers, who are defendants in the $450,000 anti-trust suit of Mr. and Mrs. Frank Cassil, Rialto, St. Joseph, Mo., have been granted until Nov. 4 for pleadings in answer to the Cassils' filing of a bill of particulars.

LaCrosse Trial to Begin Wednesday

Trial of the LaCrosse anti-trust suit against major distributors is scheduled to begin Wednesday in Federal court at Madison, Wis. Louis Phillips, Paramount home office counsel, has already left for Madison to aid in the defense.

20th-Fox Asks Tax Cut

Twentieth Century-Fox Film Corp. on Friday filed proceedings in N. Y. Supreme Court against the City Tax Commission for an order reducing assessments of $1,145,000 for 1940-41 to $935,000 on the company's building at 544 West 56th St. and an adjoining building.

NSS Quintet Wins

The basketball team of National Screen Service late last week defeated the Cohen & Goldman team, and will meet the Davega-City Radio quintet this Thursday.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 85 NEW YORK, U. S. A., TUESDAY, OCTOBER 29, 1940 TEN CENTS

Attorney General Jackson Approves Consent Decree

Decree Terms Will Dislocate Sales Methods

Officials Study British Trade Showing System

By SAM SHAIN

Distribution experts admit that the proposed New York consent decree will dislocate selling methods and alter their manpower setups. However, none of the Big 5 has formally undertaken to change its sales operations yet. They are studying the British system of trade-showing films and are awaiting the actual signing of the decree and approval of the pact by the court before embarking on any changes.

The proposed consent decree provisions on trade-showing of films is patterned after the British system and the foreign sales chieftains of the Big 5, accustomed to such selling methods, are now advising their domestic sales brothers on this part of the art.

Greater competition for playing dates from exhibitors will be one of the principal objects distributors will strive for when the decree's terms become effective, Sept. 1, 1941. Home office officials and those in the field are of the opinion that many changes in sales operations will come both because of the trade-showing provision and because of the unit-of-five conditions. Field men are eagerly awaiting new plans of procedure from the home office.

Some home office executives have expressed their informal opinions that

(*Continued on page 6*)

Kennedy and Hays Talk Money Pact

Will H. Hays and Ambassador Joseph P. Kennedy conferred briefly following the latter's arrival here Sunday on the *Atlantic Clipper* from Europe, and the two will meet again, probably today, to further discuss the latest British currency proposal to the American industry.

Kennedy was instrumental in negotiating both the expiring agreement and the new proposals which are slated to become effective on Friday.

The M.P.P.D.A. board of directors is scheduled to meet today and possibly take final action on the new British proposals. The meeting will also discuss Universal's status under the new agreement.

Metro Against Screen Use of Short Wave

M-G-M is opposed to the sponsorship by film companies of short wave programs, Dave Blum, M-G-M director of foreign publicity, declared yesterday. Blum, whose name was included by NBC as one of those who would attend a luncheon today to discuss short wave programs by film companies, said M-G-M would not be represented because it was opposed to the whole idea.

United Artists and 20th Century-Fox had previously indicated their disapproval and some of the other five companies may also drop consideration of the plan, Blum said.

Blum asserted that short wave reception in Latin America is on about the same status that it is in this country and that the audience does not warrant any large expenditures. Although the time costs would be negligible, the cost of preparing such programs would be high, Blum pointed out. He said that there would be little value in exploiting individual films over short wave because release dates in different Latin Amer-

(*Continued on page 6*)

3,008 at Studios Eligible for Draft

Hollywood, Oct. 28.—A total of 3,008 studio workers is eligible for the draft, a survey reveals. At Paramount, 596 have registered for the draft; at RKO, 270; Republic, 175; Monogram, 60; Columbia, 86; Twentieth Century-Fox, 417; M-G-M, 575; Warners, about 540; Universal, 289.

Skilled Employes At Studios Seek Work Guarantees

HOLLYWOOD, Oct. 28.—The question of annual work guarantees to skilled mechanics will be brought up at the next annual studio basic labor agreement conferences this Fall, it was learned today.

With the studios reportedly facing a shortage of skilled workers in various departments, one studio already is working on a plan to protect itself against its employes being taken away by other companies by promising that jobs will be steady during the national emergency, with no alter-

(*Continued on page 6*)

Politics Hits Broadway And Key Cities' Grosses

Politics and the closing days of the New York World's Fair caused havoc over the weekend and again yesterday at Broadway first runs, with the exception of "The Great Dictator," which continued strong.

With about 1,000,000 persons attracted to the Fair for its last two days, business along Broadway went into a slump over Saturday and Sunday. The appearance of President Roosevelt on Times Square yesterday drew huge crowds who waited perhaps two hours to see him pass. Additionally, in the evening the Democratic rally in Madison Square Garden drew thousands into the theatre

(*Continued on page 6*)

Theatre business has fallen off in most key cities as a result of the political campaign, and President Roosevelt has most of the effect on the box-office, a survey yesterday revealed. Business has been off as much as 50 per cent when the President and Wendell Willkie spoke, theatre managers asserted, and about 20 per cent off when Willkie spoke alone.

President Roosevelt's power to keep listeners home could not be determined precisely because Willkie also spoke on the same night but observers generally agreed that the Presi-

(*Continued on page 6*)

Court Gets Pact Today; Judge Goddard May Set Hearing in Two Weeks

U. S. Attorney General Robert Jackson has formally approved the proposed New York case consent decree. Today, the Government will present the pact to Federal Judge Henry W. Goddard, following which the court is expected to set a hearing date to give protesting exhibitors an opportunity to express their views on the settlement.

Jackson's approval was granted over the weekend, according to Washington advices. His tentative approval of the settlement proceedings was granted several weeks ago.

Following the formal court presentation, the terms of the pact will be made public through release of the pact to the press by the Government's attorneys.

It is the opinion of some of those who are close to the proceedings that the exhibitor hearing will be set for approximately two weeks from today. This is on account of the national election held next Tuesday.

At the same time, it is expected that the Government will ask the court for leave to file an amended complaint against the three non-consenting companies, Columbia, United Artists and Universal.

The final draft of the arbitration proposals in the proposed settlement were completed only yesterday by Government lawyers and counsel for the assenting companies, together with officials of the American Arbitration Association. It differs in many minor respects from earlier drafts.

Syracuse Showmen To Meet Thursday

SYRACUSE, N. Y., Oct. 28.—A meeting will be held here Thursday to complete organization of the Central division of the M.P.T.O. of the State of New York. Officers and directors of the Syracuse area will be elected, and policies outlined.

The local organization is headed by Sidney L. Grossman.

Some Compensation

Philadelphia, Oct. 28

FOR the entire past week, a draft registration card and one ticket admitted any prospective conscriptee and his best girl into Charles Goldfine's Alden Theatre here.

To Seek 'Rescue' of Star Use Agreement

An effort to rescue the "gentleman's agreement" not to use star or other symbols in picture and theatre advertising will be made by major company advertising and publicity directors this week.

The agreement was ended last week when the Paramount used the stars in its advertising after the Rivoli, which was not a party to the agreement, had refused to eliminate them from its advertising. Indications are that efforts will be made to bring the Rivoli into the agreement.

It is reported that Loew's, 20th Century-Fox and RKO are taking the lead in attempting to revive the agreement not to use the stars. Universal and Columbia have agreed to go along with the majority and the other three major companies are said to be awaiting further developments.

Joins Variety Club

BOSTON, Oct. 28.—The Friars Club of Boston has voted unanimously to go into the National Variety Clubs of America. It will become Tent No. 23. Steve Broidy is president.

MAINLINERS
to
LOS ANGELES



NO CHANGE OF SLEEPERS

The Continental Lv. 7 pm
The Overland Flyer Lv. 11:40 pm

Luxurious thru coast-to-coast Mainliners — at United's high, smoother flight levels.

Travel agents, hotels, or

UNITED AIR LINES

67 Wall St. or 58 E. 42nd St.
MU-2-7300

Personal Mention

CLIFF WORK, Universal vice-president in charge of production, is in town from the Coast for home office conferences.

•

WILLIAM C. GEHRING, Central division manager for 20th Century-Fox, leaves tonight for Chicago to negotiate circuit product deals.

•

CHARLES C. PETTIJOHN, M.P.P.D.A. general counsel, returned to his office yesterday following a month's illness.

•

LOU SMITH, Columbia studio publicity manager, is visiting the home office.

•

M. J. SIEGEL, head of the Republic studio, is here for conferences with HERBERT J. YATES.

•

LEO SPITZ is in Chicago this week.

•

EDWIN L. WEISL is in Chicago.

•

GEORGE SCHUTZ, editor of *Better Theatres,* is touring the Midwest.

•

HENRY REINER, National Screen Service salesman in New York, is the father of a boy, born last week at the Lying-In Hospital.

•

MR. and MRS. FRED BEETSON arrived from the Coast over the week-end on the *City of Los Angeles.* They leave today by train.

•

GENE STUTENROTH, manager of the Fox Theatre, Burlington, N. J., is in town.

•

FRANK GILL, film critic of the Detroit *Free Press,* was married to SYBIL BINGAY late last week.

•

HARRY PICKETT, booker for the Craver Theatres, Charlotte, N. C., is the father of a son, born late last week.

JACK L. WARNER, vice-president of Warners, leaves for the Coast today.

•

LEO JUSTIN of the Walter Reade Circuit has a new daughter, born Saturday at the LeRoy Sanitarium.

•

BORIS MORROS, SIDNEY PHILLIPS, OWEN DAVIS and MAX DREYFUS at Nick's Hunting Room in the Astor yesterday for lunch.

•

SAM DEMBOW, BARNEY BALABAN, HARRY BUXBAUM, JOSEPH LEE, WALTER READE, JR., ARTHUR LOEW, BEN BOYAR, LEONARD GOLDENSON and LEON NETTER having lunch yesterday at Sardi's.

•

HARRY COHN, JOSEPH MOSKOWITZ and LOUIS BERNSTEIN lunching at Lindy's (51st St.) yesterday.

•

HARRY COSMAN, IRVING SHAPIRO, ARCHE MAYER, MAX WEISFELDT, RUBE JACKTER and LOU WEINERG at Lindy's (next to the Rivoli) yesterday for lunch.

•

MAURICE BERGMAN, MAURICE FREEMAN, WILLIAM GERMAN, ALAN FREEDMAN and CHARLES PAINE lunching yesterday at the Tavern.

•

HOWARD SMITH of the Dixie, Brooksville, Fla., is visiting here for a few days.

•

THOMAS KILLEEN, Comerford Theatres district manager, is theatre division chairman of the Scranton Community Welfare Federation drive.

•

NAT TURBERG, manager of the Northio Paramount, Hamilton, O., is in Mercy Hospital, where he is recuperating from a minor operation.

•

JOAN BENNETT leaves for the Coast today.

RKO Managers Hold Annual Dinner Party

John J. O'Connor, head of RKO theatre operations, was host at Toots Shor's Restaurant last night to about 150 executives and managers of RKO Theatres at the circuit's annual dinner and party. The wives and feminine friends of those present were guests of RKO at a Broadway stage show, after which they joined the theatre men at the Hurricane Club.

Among those at the dinner were Malcolm Kingsberg, Leon Goldberg, Fred Meyers, Harry Mandel, Richard Patterson, Max Fellerman, Louis Goldberg, James Brennan, Sol Schwartz, Charles MacDonald, William Howard and William England.

Columbia Meets in Chicago Saturday

Columbia's Central district sales organization will meet in Chicago on Saturday, to discuss sales and exhibition plans for "Arizona" and the company's other forthcoming product. Abe Montague, general sales manager, and Rube Jackter, assistant sales manager, will conduct the meeting. It is the third of a series of such meetings, others having been held in Atlanta and Washington.

Harry Arthur Head Of St. Louis Club

ST. LOUIS, Oct. 28.—Harry Arthur, Jr., vice-president and general manager of Fanchon & Marco, has been elected chief barker of the St. Louis Variety Club, succeeding Tony Matreci. Other officers are Louis K. Ansell and Harry Hynes, assistant barkers; George Wiegand, treasurer; Chauncy B. Nelson, secretary. Members of the board of directors include Sam Shucart, Clarence Turley, Herbert Washburn, Joseph Ansell, Clarence Hill and Alvin Wolff.

Bookers to Collect Clothes for British

The Motion Picture Bookers Club will undertake to collect used clothing for British war relief. Receiving stations will be set up at the exchanges here. Harold Kline of the Cocalis Circuit, president of the organization, will direct the work.

Office Guild Wins M-G-M

HOLLYWOOD, Oct. 28.—Screen Office Employes Guild has added M-G-M where it has won a collective bargaining agency, the N.L.R.B. has announced.

Ennis Tells How Charlie Chaplin Came to Keystone

Editor, MOTION PICTURE DAILY:

I note, with a considerable personal interest, Chaplin's statement in your issue of Oct. 22, that his first picture offer came in 1913, from a New York agent, addressed to Charles Chapliniere.

His memory is pardonably errant after twenty-eight years.

Early in 1912, as press agent for Keystone, I was asked by Adam Kessell, president of the New York Motion Picture Co., owner of Keystone, to locate a man named Charles *Caplin,* with Karno's Pantomime Company. A search through the *Billboard's* route list by my brother, Harry Ennis, then movie editor of *Billboard,* established the Karno unit playing in Philadelphia.

A wire sent to this unit was answered by Billy Reeves, company manager, as follows: "We have a man named Charles *Chaplin,* not *Caplin,* with this company."

The rest is history—and also water under the bridge.

Yours sincerely,
BERT ENNIS

Agnew Says Gross On 'Police' Is Big

Neil F. Agnew, Paramount sales manager, yesterday reported that the company's Cecil B. DeMille film, "North West Mounted Police," is running substantially ahead of the previous DeMille film, "Union Pacific," in virtually all its key city engagements. He said no public opposition has been reported in any situation to the advanced admission scale for the film.

Skouras Trial to Nov. 6

Federal Judge John T. Clancy yesterday postponed trial to Nov. 6 of the Government's tax case against George P. Skouras, Skouras Theatres Corp., Harvey B. Newins and Ktima Corp.

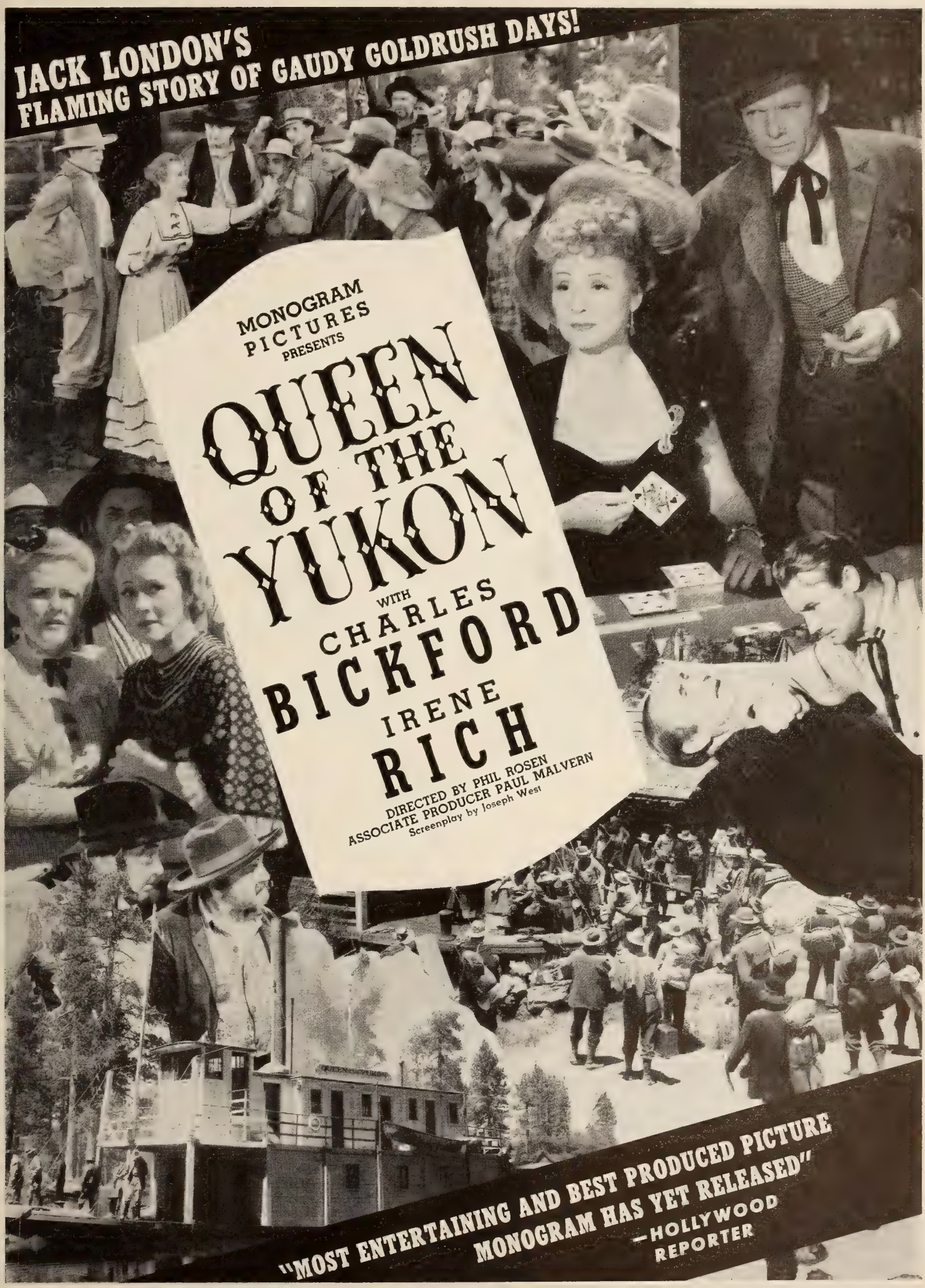
Joins Monogram Staff

PHILADELPHIA, Oct. 28.—Victor D'Ambrozio has joined the sales staff of Monogram here.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.


JACK LONDON'S
FLAMING STORY OF GAUDY GOLDRUSH DAYS!
MONOGRAM PICTURES PRESENTS
QUEEN OF THE YUKON
WITH
CHARLES BICKFORD
IRENE RICH
DIRECTED BY PHIL ROSEN
ASSOCIATE PRODUCER PAUL MALVERN
Screenplay by Joseph West
"MOST ENTERTAINING AND BEST PRODUCED PICTURE MONOGRAM HAS YET RELEASED"
—HOLLYWOOD REPORTER



As long a

As long as men and women dream of a new house, a new car... as long as boys and girls dream of making fame and fortune with their songs or guitar-playing or tap-dancing...

Just so long will you find the human responsiveness which helps explain the unique advertising success of Major Bowes' Original Amateur Hour and Chrysler Cars.

By design, by luck, you have in this famous program—now in its two hundred and eleventh consecutive week over the Columbia network—a meeting place of human impulses that mesh together powerfully.

The raw materials of the program are the hopes and ambitions of boys and girls. The audience of

people dream...

35,000,000 adults each week listen and laugh at some, applaud and vote for others; it's pleasing to help discover the new and talented.

But all the while that vast audience also has its own hopes and its own wishes...for new things, new cars. So when Major Bowes begins to talk to those personal hopes and wishes, begins to talk about the superlative new Chrysler cars, he talks to an alive and responsive audience.

Chrysler's President Keller calls this CBS program "...an important medium in acquainting the people with Chrysler products, and in creating enthusiasm among dealers, and in informing many millions of the quality, performance and service we wish to maintain in respect to our products."





Columbia Broadcasting System







Some astronomy about

MAJOR BOWES

1 **Telephoned votes to Major Bowes Chrysler Programs now total 3,102,554.**

2 **11,385 telephone operators, working under 812 supervisors, assisted by 964 messengers, and 1370 tally clerks have recorded these telephoned votes.**

3 **During these four years Major Bowes has saluted 206 cities and 2 World's Fairs.**

4 **Major Bowes has received 2726 honorary appointments from public officials, organizations, fraternities, clubs and the like, in 229 cities.**

5 **Over 114,400 auditions have been given for Major Bowes' Original Amateur Hour since 1936; 2704 amateur acts reached the air; 4000 performers appeared in these.**

6 **Major Bowes' Amateur units have visited 95% of all American cities with a population of 2500 or more.**

7 **In the 211 broadcasts over CBS air for Chrysler products, Major Bowes' Amateur Hour has made some 4,050,000,000 total advertising impressions. (An impression equals one listener to all or part of one broadcast.)**

8 **During this same period Major Bowes has spoken 114,400 words of commercials for Chrysler products.**

9 **Major Bowes has never missed an Amateur Hour broadcast.**

Politics Hits Grosses All Over Country

(Continued from page 1)

area but their interest was in politics and not in films. Throngs kept milling about in the streets and the Garden was packed.

"The Great Dictator" continued to lead the parade during the past week. In its second week, which ends tonight, it should gross an estimated $75,000 at the Capitol and an estimated $19,000 at the Astor, capacity at the latter house. It is held over indefinitely.

Another strong holdover was "Arise My Love" with Tommy Reynolds' band on the stage, which drew an estimated $24,000 over the weekend and should end its second week at the Paramount tonight with an estimated $50,000. It will go a third week. "The Westerner" with a stage show at the Music Hall grossed an estimated $50,000 for the first four days and "Escape" will open there Thursday.

At the Strand, "Knute Rockne—All American" with Woody Herman's band on the stage grossed an estimated $18,000 for the first three days of the second week. "Down Argentine Way" with a stage show was good for an estimated $25,500 for the first four days of its second week at the Roxy and it will be held until Saturday when "The Mark of Zorro" will bow. The third week of "Long Voyage Home" which ends tonight at the Rivoli should bring an estimated $16,000 and it will be held until Tuesday when "Christmas in July" will open. "Captain Caution" grossed an estimated $6,700 for a week at the Globe. "East of the River," which opened at the Globe Saturday, drew an estimated $5,700 over the weekend.

Business Also Off At Key City Runs

(Continued from page 1)

dent's pulling power appeared to be much stronger.

Theatres in Democratic strongholds reported that grosses took a big dip when the President made his first big speech of the campaign last Wednesday.

In a number of localities it was reported that there was no adverse effect from either candidate's speeches, but such situations were in the minority. The fact that most political speeches come at a late hour was pointed to as a factor which increases their competition to films. Although it was generally felt that all campaign speeches attracted listeners who otherwise might attend theatres, the consensus was that only the two top candidates offered serious competition.

Kent Returns from Production Parley

Sidney R. Kent, 20th Century-Fox president, arrived from the Coast by train yesterday.

Kent described his two-week visit at the studio as "routine" and concerned in the main with future production plans.

Decree Terms to Dislocate Methods of Distribution

(Continued from page 1)

additional manpower in distribution will be necessary and that sales costs will become dislocated and will increase. Others profess not to know what will happen as a result of the decree terms, at this time.

These feel that there will be sufficient time following the court's approval of the pact to work out a new system of operation in sales.

An RKO chieftain gave this opinion:

"It is difficult for anyone to say at this time exactly what changes in selling methods will be necessary, but it does appear as though the proposed consent decree will bring about greater operating costs and extra manpower, all of which the industry can ill afford at this time."

The following is the opinion of a 20th Century-Fox executive.

"I think there will be an increase of the costs in distribution overhead but I have no way of knowing at this time what such an increase will amount to.

"I do not think any additional exchanges will be necessary as I understand under the proposed decree the exhibitor does not have to see a picture or group he may want to buy.

"The distributor must give him an opportunity to see the pictures before offering them to the exhibitor.

"I do not understand that the distributor must give all competitor-buyers the opportunity to bid for each group. We do not have to sell in groups of five but we cannot sell or offer for sale any group of more than five.

"I think that in the interest of convenience and economy as many pictures as possible would be screened at one time.

"Their grouping, however, would be a matter for the distributor to decide.

"I can't tell at this time whether more pictures will be sold individually. There are so many factors involved that I don't think any possible opinion could be hazarded.

"As to franchises I understand that franchise agreements entered into prior to June 6, 1940, will not be affected by the decree."

There have been no formal discussions on these problems at M-G-M. William F. Rodgers, general sales manager of the company, presently is in Hollywood for studio conferences, and Tom Connors, Eastern, Southern and Canadian sales manager, is on a tour of his territory.

Paramount officials, headed by Barney Balaban, president, had expected to take up the problems informally recently in Chicago, while many of them were there for the premiere of "Northwest Mounted Police," but the illness of Neil Agnew who couldn't attend, caused the discussions to be postponed. Home office officials are hopeful that the matter will be formally taken up in Hollywood, after Barney Balaban and other home office executives go to the Coast for studio conferences after election day.

In the field, managers are worried about getting the small exhibitors in to see pictures, under the trade-show provisions of the proposed decree. New buying and booking combinations may result, they believe. The field men are uncertain as to the possible effect on their operations as a result of the decree and most of them feel that an increase in personnel and office overhead is inevitable while the selling results are completely unpredictable.

In England, mostly all pictures are sold on a percentage basis, excepting in the small town situations, and one of the chief objectives of selling there is to obtain playing dates. At the trade shows, the distributor announces the pre-releease and general release date and from that time on, selling can commence. It is compulsory in England, under the Films Act, after registration and censorship, to have at least four trade shows at certain points throughout Great Britain.

The law provides that no exhibitor can date a picture in his theatre, further ahead than six months. Therefore, the exhibitor's dating book is clear beyond the period of six months from dating.

In England, it is a violation of the Films Act, should the exhibitor and distributor have any verbal or oral arrangement as regards the dating of pictures beyond the six-month period, subject to a heavy fine and cancellation of license.

The purpose of the British-trade showing law is to eliminate blind booking. It has nothing to do with block booking, say American officials.

In most cases these trade shows take place in exchanges. However, where companies own theatres that pre-release pictures, the pictures may be shown in the morning in one of these pre-release houses and exhibitors come in free.

The picture must be trade shown to exhibitors in all exchange centers and the trade show must be properly advertised to the exhibitors.

Skouras, Altec Renew

Skouras Theatres Corp. has renewed with Altec Service Corp. for service covering 58 Skouras houses in the Metropolitan New York area. Bert Sanford negotiated for Altec. Service agreements with Jensen-Von Herberg Circuit, Seattle, have also been renewed.

Kansas Unit Meet Nov. 14

KANSAS CITY, Oct. 28.—The Kansas Independent Theatres Association meeting in Abilene, Kan., Nov. 14, will concern itself largely with getting acquainted and learning the views of Kansas exhibitors with respect to the new organization, Homer F. Strowig, president, said here.

Metro Against Screen Use of Short Wave

(Continued from page 1)

ican countries vary widely, because of local holidays, seasons, availability of prints and similar factors.

Blum said that dramatizations would not be effective because film companies do not wish to give the impression that American films have been produced in the Spanish language. Even if this were desirable, Blum asserted, it would not be possible to find Spanish actors who could fill the roles adequately for radio performances. He said that interviews over the air would lose their effect because they would have to be translated. This leaves only a typical Hollywood gossip program available, Blum asserted, and since such programs can be broadcast free of charge on other international short wave stations there is no point in paying for them over NBC.

John Royal, NBC vice-president in charge of development of new media in radio, and Lunsford P. Yandell, manager of the international short wave division, will be hosts at today's luncheon.

Industry Supports Unity Mobilization

Leaders of the film industry, stage and radio met at the Hotel Astor yesterday to plan the promotion of the Mobilization for National Unity conducted by the National Conference of Christians and Jews. More than $4,000 was raised at the luncheon.

Addressing the meeting of the amusement division were: Dr. Frank Kingdon, Dr. Everett Clinchy, Former Judge Moses H. Grossman, Louis Nizer, Basil O'Connor, chairman of the Mobilization; Jack Cohn and Jules Brulatour. Approximately 65 attended.

Skilled Employes Seek Guarantees

(Continued from page 1)

nating peaks and layoffs.

It is believed that the creation of steady employment in heavy industries resulting from the armament program will be attractive to the studio workers.

A minimum annual work guarantee has been sought by some of the studio unions, and they will point out to the conferees at the annual meeting the need for such a system. The painters last year offered to return a 10 per cent wage increase in favor of such a guarantee. The musicians are the only group which now gets a steady weekly salary.

Steele Forms Company

"Fathers of Madelon" will be the first picture produced by the newly formed Charles MacArthur-Al Christie Film Co. Bernard J. Steele, president of Odessco Productions, Inc., heads the new company.

Intensify Fight on Duals in St. Louis

St. Louis, Oct. 28.—Following its letter to exhibitors in the St. Louis area demanding a showdown on duals, the Better Films Council of St. Louis intends to inaugurate soon a plan of "Minute Women" speakers.

Para. Partners to Meet November 8

Paramount theatre associates will hold a two-day meeting in Chicago, Nov. 8 and 9, following which a number of them will accompany home office executives to the Coast for production conferences with studio officials.

Leonard Goldenson and Sam Dembow, Jr., will conduct the Chicago meeting. Those who will attend include: Earl Hudson, Detroit; Tracy Barham, Ohio; John J. Friedl, Minneapolis; Harry David, Salt Lake City; Harry Nace, Arizona; John Balaban and Jules Rubens, Chicago; Martin Mullin, Boston; R. J. O'Donnell, Dallas; M. A. Lightman, Memphis; John Fitzgibbons, Canada; A. H. Blank, Myron Blank and Ralph Branton, Des Moines, and Robert Weitman, New York.

Goldenson, Dembow, Hudson, Balaban, O'Donnell, Lightman, Branton and Weitman will continue to the Coast for the product conferences. They will join Barney Balaban, Neil Agnew, Stanton Griffis and Russell Holman there.

Additional Dates Set for 'Dictator'

Additional bookings of "The Great Dictator" have been scheduled at advanced prices in Miami, Columbus, Providence, Seattle, Kansas City and St. Louis.

It will open on Thursday on a policy of continuous run with prices of 75 cents for matinees and $1.10 for evenings, at Loew's Broad, Columbus; Loew's State, Providence; Loew's Midland, Kansas City, and Loew's State, St. Louis. The film will open Friday at the Hamrick-Evergreen Fifth Avenue in Seattle on Friday, on the same policy, and will reopen the Surf in Miami for the season on Nov. 19, playing simultaneously at the Lincoln.

Chaplin to Hollywood; Farnol Goes to Chicago

Charlie Chaplin will leave for the Coast today following a two-week stay here.

Lynn Farnol, United Artists advertising and publicity director, will accompany Chaplin as far as Chicago and will make arrangements there for the Thursday night premiere of "The Great Dictator." Farnol will go to the Coast at the end of the week for the Los Angeles premiere.

Appeal Stockholder Suit

Notice of appeal to the Appellate Division of the N. Y. Supreme Court was filed yesterday by minority stockholders from a decision of Justice Carroll G. Walter dismissing the stockholder suit against Consolidated Film Industries and others.

Hollywood Reviews

"Blondie Plays Cupid"

(Columbia)

HOLLYWOOD, Oct. 28

"BLONDIE Plays Cupid" opens the 1940-'41 Columbia series based on the popular Chic Young comic strip with the consistent zest, comedy and favorable audience reaction that have marked the previous numbers. However, it is not as timely as it might have been, inasmuch as the plot deals with Blondie's efforts to keep fireworks away from her family on the Fourth of July. The film's release date is Oct. 31.

The "Blondie" regulars, Penny Singleton, Arthur Lake, Larry Sims, Jonathan Hale, Danny Mummert, Irving Bacon and "Daisy," the dog, are supported by Glenn Ford, Luana Walters, Will Wright, Spencer Charters and Leona Roberts.

The producing-directing team of Robert Sparks and Frank R. Strayer again turned out a well-filled piece of entertainment, utilizing everything from dialogue to slapstick to get laughs.

Richard Flournoy and Karen DeWolf turned out a fast moving screenplay from a story by Charles M. Brown and Miss DeWolf.

Running time, 66 minutes. "G."* VANCE KING

"Who Killed Aunt Maggie?"

(Republic)

HOLLYWOOD, Oct. 28.—Offering a roster of names supplying abundant billing ammunition—Wendy Barrie, John Hubbard, Edgar Kennedy, Elizabeth Patterson, Onslow Stevens, Joyce Compton, Walter Abel, Mona Barrie, Willie Best and others—this picturization of Medora Field's mystery novel mixes comedy and tragedy, chills and thrills, in a manner to entertain those who take their murder fiction straight as well as those who like the humorous aspect of it most.

Central situation is a gathering of relatives in the house of a deceased rich man, on a rainy night, with murder apparent and all hands suspected. Another murder complicates matters and a secret room adds to the mystery. A comedy sheriff tries many means of inducing a confession from somebody, but chance ultimately reveals the culprit.

Production by Albert J. Cohen is shipshape, direction by Arthur Lubin measuring up, with dialogue by Hal Fimberg and Frank Hill, Jr., spicing Stuart Palmer's screenplay.

Running time, 69 minutes. "G."* ROSCOE WILLIAMS

"The Fargo Kid"

(RKO)

HOLLYWOOD, Oct. 28.—"The Fargo Kid," second of RKO's new western series starring Tim Holt, far exceeds in entertainment qualities, for western fans, the first of the group. In addition to having better action, dialogue, comedy and music, the picture itself as a whole is a much better presentation of outdoor action than its predecessor. In this, young Holt, mistaken for a killer, is hired to kill a gold miner about to make a strike. Investigating, he involves his pals in what seems a meaningless jumble but everything smooths itself as the story further unfolds. Action is the film's keynote.

Edward Killy, who directed the first, and Bert Kilroy, who produced it, under executive producer Lee Marcus, teamed again on this, a most creditable effort. Morton Grant and Arthur V. Jones created an entirely plausible sequence of events from the W. C. Tuttle story.

Again with Holt are Ray Whitley and Emmett Lynn, his two pals, the former being the leader of a group of cowboy songsters which gives voice to five numbers. Jane Drummond as the feminine interest; Cyrus W. Kendall, as the menace, Ernie Adams, Paul Fix, Paul Scardon, Glenn Strange and Mary MacLaren form the support.

Running time, 63 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Guaranteed Seeks Writ

An injunction to restrain Screen Attractions Corp. and Morris Kleinerman, head of the company, from distributing or exhibiting 10 Westerns without authorization has been sought in N. Y. Supreme court by Guaranteed Pictures. The plaintiff claims Screen Attractions acquired prints of the pictures by sub-leasing them from territorial distributors.

High Neighborhood Scale

MILWAUKEE, Oct. 28.—"Boom Town," the first of several films which have played first run houses at advanced admissions, will have its first Milwaukee neighborhood showings, starting Nov. 9, at Fox's Paradise, also at higher admissions. The film will play the house for six days at a 50-cent top, which is 10 cents above the regular admission top.

34 Pictures Now Shooting; 74 Being Cut

HOLLYWOOD, Oct. 28.—Thirty-four pictures were before the cameras this week as seven started and eight finished. Eighteen were being prepared, and 74 were in the cutting stages.

The tally by studios:

Columbia

Finished: "Across the Sierras."
In Work: "This Thing Called Love," "Legacy," "The Phantom Submarine," "Penny Serenade."

Korda

In Work: "Lady Hamilton."

Loew-Lewin

Finished: "Flotsam."

Monogram

Finished: "Triple Threat."
Started: "His Father's Daughter," untitled Sam Katzman production.

Paramount

In Work: "I Wanted Wings," "Shepherd of the Hills," "Reaching for the Sun," "You're the One," "In Old Colorado."
Started: "The Lady Eve."

RKO

Finished: "Let's Make Music," "Playgirl."
In Work: "Citizen Kane," "Kitty Foyle," "Mr. and Mrs. Smith," "Three Girls and a Gob," "The Saint in Palm Springs."

Republic

Finished: "Barnyard Follies."
In Work: "The Mysterious Dr. Satan."
Started: "The Flagpole Needs a Flag."

Rowland

In Work: "Cheers for Miss Bishop."

20th Century-Fox

In Work: "Western Union."

Universal

Finished: "The Bank Dick."
In Work: "Trail of the Vigilantes," "The Invisible Woman."
Started: "Riders of Death Valley."

Warners

Finished: "She Couldn't Say No."
In Work: "Carnival," "Trial and Error."
Started: "Footsteps in the Dark," "Strawberry Blonde," "The Case of the Black Parrot."

Henigson in Charge

HOLLYWOOD, Oct. 28.—Henry Henigson, production manager for James Roosevelt's Globe Productions, will remain in charge when Roosevelt goes on active duty soon with the Marine Reserves.

Polesie with Taurog

HOLLYWOOD, Oct. 28.—Herbert Polesie has been appointed executive assistant to Norman Taurog, M-G-M director. He will assist in the production of "Men of Boys Town."

CBS Will Ban All Non-Ascap Music Dec. 1

Non-Ascap music will be banned on all CBS sustaining programs after Dec. 1, Lawrence W. Lowman, vice-president in charge of operations, advised bandleaders in letters received yesterday. Lowman ordered all bands on sustaining time to increase use of non-Ascap music to three tunes for 15-minute programs effective Friday.

Lowman explained that acquiesence in Ascap's demands would wipe out a substantial part of the network's profits and that it was necessary to prepare gradually for the Dec. 31 deadline when any non-licensed performance of Ascap music would constitute a copyright violation.

Elimination of all Ascap music on Dec. 1 over CBS means that theme songs must be changed before that time, Lowman warned. He said that Ascap music on sustaining programs had dropped from 80 per cent to 10 per cent.

Seek 50 Per Cent Non-Ascap

NBC has requested that sponsors adjust music programs to bring non-Ascap music up to 50 per cent of the total before Dec. 1, but has not changed its rule on sustaining bands which requires three non-Ascap tunes on each program. Mutual, busy with setting up its copyright clearance bureau, is taking no action at present. However, individual stations which feed the Mutual web have varying requirements for some non-Ascap music on sustaining shows.

Broadcast Music, Inc., gave a luncheon at the Hotel Roosevelt yesterday to newspaper men to explain BMI's position in the Ascap fight. Sidney M. Kaye, vice-president and general manager, said that Ascap music constituted only 25 per cent of sustaining programs and only 36 of sponsored shows over the country today.

No Bad Effects Reported

Kaye declared that several local stations had experimented with shows using no Ascap music whatever and had discovered no undesirable effects. He cited the change to a BMI theme song by "Your Hit Parade" and said it was evidence of a desire by sponsors to cooperate.

At the present time, Kaye said, 90 per cent of all stations over 5,000 watts have joined BMI; 70 per cent of stations between 1-5,000 watts; 55 per cent of 500-1,000 watts, and 40 per cent of all 100 and 250 watt stations.

Kaye said that the BMI board will be increased to eight this week and each network will have one representative. However, he declared that networks own only 21 per cent of BMI stock and that stations own the remainder.

NBC Sued on Contract

NBC was named defendant yesterday in a breach of contract suit for $15,000 filed in the N. Y. Supreme Court by Julius Singer. The plaintiff claims that at the request of NBC he aided the company in obtaining the television rights of certain pictures.

Off the Antenna

PRESIDENT ROOSEVELT returned to the television screen last night after an absence since April 30, 1939, when NBC inaugurated its television service. The telecast, from Madiosn Square Garden where the President spoke last night, was made obviously with equipment not yet ready for use. The image was streaked and flickered badly. For most of the 2½-hour program, faces were hardly distinguishable.

• • •

Purely Personal: *Louis Nizer's book, "Thinking on Your Feet" will be reviewed by Ed Fitzgerald over WOR at 1:15 P.M. . . . Mary M. McBride, heard five times weekly over CBS will have a book, "How Dear to My Heart," published Nov. 12. . . . Eddie Cantor will be interviewed by several hundred school paper editors tomorrow in NBC's studio 8-H. . . . Marjorie Rambeau will be guest on "Kraft Music Hall" over NBC-Red Thursday. . . . Gloria Jean will be guest on "Quiz Kids" over NBC-Blue tomorrow at 8 P.M. . . . Jerry Smith, the "Yodeling Cowboy" on WHO, Des Moines, has a role in Monogram's "West of Pinto Basin." . . . Don Dixon, KDKA, Pittsburgh, production staff member, has been married to Patty Snead. . . . U. A. Latham has been named assistant sales manager of WKRC, Cincinnati.*

• • •

Mutual's affiliated stations will be increased to 159 next Monday when three Virginia stations join the network. They are WLVA., Lynchburg, 1,200 k.c., 250 watts, full time; WBTM, Danville, 1,370 k.c., 100 watts, night, 250 watts, day; WSLS, Roanoke, 1,500 k.c. 250 watts, full time.

• • •

Broadcast Music, Inc., will shortly announce a list of several thousand recordings which are non-Ascap. Most of the numbers are not in the so-called popular dance music class but they should be good program material, as they feature hill-billy songs and original compositions. In addition, BMI plans several hundred recordings of BMI dance music to be available about Dec. 1.

BMI composers shortly will receive a bonus based on the number of times their songs have been performed over the air. Performance payments were not scheduled to start before Jan. 1 but the payments will be made nevertheless. After Jan. 1, the country will be divided into 11 representative areas. One area will be checked for performances each month and performance payments will be made on the basis of such checkups.

• • •

Program News: *"Information, Please" will be heard over 87 NBC-Red stations instead of 61 Blue stations on Friday, Nov. 15, at 8:30 P.M. when it switches sponsorship from Canada Dry to American Tobacco Co. . . . Dean A. Jenkins started a series of advice talks over WNEW yesterday. Jenkins will be heard Mondays through Fridays at 9:30 A.M. . . . Sponsors increasing the number of outlets over NBC in the past few days include Hecker which will add 12 for a total of 60 for "Lincoln Highway" over the Red; Brown & Williamson, adding seven, for a total of 72, on "Wings of Destiny" over the Red; Lewis-Howe has added two stations for "Pot o' Gold" and "Fame & Fortune," bringing the totals to 95 to 89, respectively, over the Blue; and Grove Laboratories has added two for "Sherlock Holmes" to bring the total to 53 over the Blue.*

Parts of Stockholder RCA Suit Dismissed

N. Y. Supreme Court Justice Bernard L. Sheintag yesterday dismissed four causes of action in the seven consolidated stockholders' suits against RCA, General Electric, NBC, Westinghouse, Victor Talking Machine and 29 officers and directors of RCA on the ground that the charges were barred by the six-year statute of limitations. Balance of the complaint, which charges waste and mismanagement after 1933, remains for a hearing of the court.

Alter 'Pins and Needles'

PROVIDENCE, Oct. 28. — The management of the musical show, "Pins and Needles," produced by the Ladies Garment Workers Union, has substituted another sketch for the "Harmony Boys" skit in the show, to which the local censor board objected. The show opened at the Playhouse here today.

Change Film Title

HOLLYWOOD, Oct. 28.—"West of Pinto Basin" is the final title of the George Weeks Western for Monogram release formerly kown as "Triple Threat."

RKO Party Today For Foreign Press

The RKO foreign department will hold a cocktail party this afternoon in the Bacardi Room of the Empire State Building for Desi Arnaz, Cuban player, following a screening of the film, "Too Many Girls" at the RKO projection room.

Among the foreign press and radio representatives expected to be present are: W. T. Albert, Olga Andre, Margarita Deschamps, Charlotte Conrad, Mario P. de Costa, Emilio Escalante, Dr. Des Gabor, Maria M. Garrett, Henry E. Gellerman, Arthur Lurie, O. D'Aguiar Mendonca, Lucio Montero Ivellez, Aurelio Pego, Garcia Ortega, Antulio Rodriguez; Rafael Rasch Isla, Rodger L. Simons, Eugenia Soderberg, Mary Spaulding, Alexandro Sux, Roberto Socas, Jay Tuthill, Hortensia Zalper, Jorge A. Losada, Fred Kruetzenstein, Jack Clark, Rosita Moreno.

Build RKO Exchange

PHILADELPHIA, Oct. 28.—A new film exchange building at 244-52 No. 13th St., representing an investment of $100,000, will be erected by RKO. David Supowitz is the architect for the project, which will be two stories, of brick and steel construction.

Radio Defense Board Studies Representation

WASHINGTON, Oct. 28.—Members of the Communications Defense Board today completed the general study of industry problems and turned their attention to the question of industry committees, it was disclosed by FCC chairman James L. Fly.

No determination has been reached as to what interests should be represented by committees, although suggestions have been made for as many as a dozen separate groups, Fly said. Later consideration, he added, may serve to reduce the number somewhat.

The question of programs has been considered only in a general way, Fly said, since the board has no censorship powers. Such powers were specifically denied it in the order creating the board. Some discussion has been held regarding international programs and, in that connection, the FCC will not require both a record and a script of foreign language broadcasts at the present time, Fly said. He added that a recording will be sufficient.

NBC to Entertain Short Wave Men

Short wave broadcasters who will meet here today to consider the new FCC short wave rules covering recordings will be entertained by NBC which will demonstrate various types of recordings.

Station in Alabama Asks More Power

WASHINGTON, Oct. 28.—Authority to change frequency from 1,310 to 610 kilocycles and increase power from 250 to 1,000 watts was asked by Station WSGN, Birmingham, Ala., in an application filed with the Federal Communications Commission.

The commission also received applications for construction permits for two new high-frequency broadcasting stations, the Central New York Broadcasting Corp., seeking a 46,300-kilocycle station at Onondaga, N. Y., to cover an area of 8,300 square miles with a population of 884,725, and the Amarillo Broadcasting Corp. seeking a 45,100-kilocycle station at Amarillo, Tex., to cover 6,503 square miles with a population of 80,024.

FCC Meeting Will Weigh FM Pleas

Washington, Oct. 28. — A special meeting of the FCC has been called to consider more than 40 applications pending for frequency modulation stations. The meeting may be held Friday. An effort will be made to dispose of some of the applications this week in order to get FM service under way as quickly as possible, it was said.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 86 NEW YORK, U. S. A., WEDNESDAY, OCTOBER 30, 1940 TEN CENTS

Court to Hear Decree Objections on Nov. 14

Government's Statement

Following is the text of a statement issued yesterday by the Department of Justice on the filing of the consent decree:

THE Department of Justice today announced the filing of a consent decree under the terms of which five major moving picture companies agree to terminate practices which have long been the subject of dispute.

The decree, which was filed today in the U. S. District Court for the Southern District of New York, calls for termination of the sales practice known as "blind selling" and drastic modification of the so-called "block booking" methods of the defendant companies.

Companies consenting to the decree are Paramount Pictures, Inc., Loew's, Inc., RKO Pictures, Inc., Warner Brothers Pictures, Inc., Twentieth Century-Fox Film Corporation and their subsidiary and affiliated companies.

United Artists Corporation, Universal Pictures Co., Inc. and Columbia Pictures Corporation, three other companies named in the original complaint, have not joined in the decree. An open hearing will be held before the Honorable Henry W. Goddard, District Judge, on Nov. 14, 1940, at 10:30 A. M., at which time interested persons not parties to the suit will be given an opportunity to present their views with respect to the proposed decree.

In addition to revising selling practices of the five signatory companies, the decree sets up a system for the arbitration of disputes between exhibitors and distributors to be administered by the American Arbitration Association. In order to give this arbitration system a fair trial, the Government agrees not to seek divorcement or dissolution of production and distribution in the industry for a period of three years. During this period the signatory companies agree not to engage in any general program of expansion of theatre holdings and to

(*Continued on page* 12)

Digest of U. S. Decree

FOLLOWING is a digest of the Federal decree. No confession of guilt by the defendants is acknowledged. The decree contains, instead, an affirmation of innocence, as indicated in the first paragraph.

Preamble. Decree consented to by Paramount Pictures, Inc., Paramount Film Distributing Corp., Loew's Inc., Radio-Keith-Orpheum Corp., RKO Radio Pictures Inc., Keith-Albee-Orpheum Corp., RKO Proctor Corp., RKO Midwest Corp.; Warner Bros. Pictures, Inc., Vitagraph, Inc., Warner Bros. Circuit Management Corp., 20th Century-Fox Film Corp. and National Theatres Corp. Consenting defendants assert innocence and consent to decree on condition, that it shall not be construed that complaint is true, that any defendant violated or is violating the law, or that any of the things enjoined would constitute a violation.

Court Retains Jurisdiction

1. The parties recognize the Court's jurisdiction to institute the decree and to retain jurisdiction of cases for its enforcement.

Officers, Directors and Employes Also Enjoined

2. Each consenting defendant, its successors, officers, directors, agents and employes, and subsidiary corporations and agents, are enjoined from doing acts prohibited under decree and are required to perform acts required under decree.

Trade Showings Required; Various Terms Defined

3. No feature film is to be licensed before a trade showing in each exchange district. Trade shows must be preceded by a notice in a trade paper having a circulation among exhibitors in such district. Time and

(*Continued on page* 4)

Goddard Gets Document; Columbia Seen Only Major to Object

By SHERWIN A. KANE

A full hearing of all objections to the consent decree will be granted exhibitors and other interested parties on Nov. 14 in U. S. District court here, Federal Judge Henry W. Goddard stated yesterday after receiving the completed and approved decree from representatives of the Department of Justice.

Judge Goddard set the date for the hearing to allow potential objectors to the decree ample time to study the document, prepare their objections and to come to New York from distant points to be heard.

Indications are that Columbia, alone among major distributors, will voice opposition to the approval of the decree by the Federal court. Universal and United Artists, the only other non-consenting companies, are adopting a "hands off" attitude, predicated upon their belief that the making of a decree by the five consenting companies is their own affair, just as the refusal of the other three companies to make one is theirs.

Exhibitor leaders representing perhaps all of the organized theatre owners in the country are scheduled to appear at the hearing in opposition to the decree. Among them will be Ed Kuykendall and Abram F. Myers, representing the M.P. T.O.A. and Allied States groups, respectively, the two largest exhibitor organizations.

Also scheduled to appear in opposition are: R. B. Wilby and Fred Kent, representing Paramount theatre associates; Jacob Schechter and Max Cohen, representing New

(*Continued on page* 4)

A condensation of the Rules of Arbitration under the Consent Decree starts on Page 4.

273 English Houses Shut By Air Raids

Extended Opening Hours Improves Grosses

LONDON, Oct. 29.—A total of 273 British theatres now are closed due to the war.

The State, Kilburn and Trocadero, London, which have been closed, plan to reopen next Saturday, and will operate experimentally thereafter on weekends only.

Permits have been issued to theatres in Middlesex, Essex and other outer London boroughs for earlier opening on Sundays and weekdays. An appreciable increase in grosses already is evident as a result of the new opening hours.

The Astoria Theatre at Brixton, near London, formerly owned by Paramount, now by Odeon, is being repaired for early reopening after having been hit by a bomb during a recent air raid, John W. Hicks, Paramount vice-president and foreign manager, was advised by cable yesterday from David Rose, Paramount London representative.

Expect to Settle Phila. Trust Suit

PHILADELPHIA, Oct. 29.—An out-of-court settlement of the $225,000 anti-trust suit brought against Warners and other major distributors by the Admiral Theatre here is expected within the next few days.

Filed last January, the suit is scheduled for preliminary hearing in U. S. District court here Nov. 7 but a postponement is expected to be asked to provide time to complete the settlement. Negotiations are be-

(*Continued on page* 13)

Reprints Available

Reprints of the complete text of the New York case consent decree, the rules of arbitration, and the Government's statement of its position will be available to readers of *Motion Picture Daily*, upon request, without charge. Simply address your request to Editor, Motion Picture Daily, Rockefeller Center, New York.

20th-Fox Draftees Get 4 Weeks' Pay

Up to four weeks' salary and continued group insurance will be granted to all 20th Century-Fox employes of at least one year's standing called into the armed forces, Sidney R. Kent, president, announced yesterday. Employes will be given a one-year leave of absence without pay, provided that application for reinstatement be made promptly at the expiration of the service in the armed forces.

Adolph Zukor Talks To Para. Pep Club

Adolph Zukor, Paramount board chairman, was principal speaker last night at the first of a series of talks sponsored by the Paramount Pep Club. He predicted great progress for the company. Other speakers were Austin C. Keough, Paramount general counsel; Prof. C. R. Richard of New York University; Dr. J. S. List, psychologist, and Boris Morros, producer. Arthur Israel, Jr., presided.

Board to See 'Fantasia'

The annual conference of the National Board of Review, Nov. 14, 15 and 16, will hear discussion on the new Disney film, "Fantasia," which is considered by the organization as a "revolutionary event in the progress of the movies."

Personal Mention

WILLIAM F. RODGERS, M-G-M general sales manager, is due here the first of next week from the Coast. He is in San Francisco today after visiting the studio.

•

H. M. RICHEY of M-G-M is attending the I.T.O. of Ohio convention today and tomorrow in Columbus.

•

G. L. DENTON, operator of a group of theatres in Tennessee, has been nominated for Representative from Knox County on the Republican ticket.

•

ROBERT CLARK, Paramount salesman, and HARRY BUGIE, Republic salesman, have been admitted to membership in the Cincinnati Cinema Club.

•

HAZEL KIRKBRIDE, secretary to H. J. GRIFFITH of H. J. Griffith Theatres, Inc., Kansas City, is convalescing after an operation.

•

WILLIAM KAYS of the Globe, Scranton, will marry DOROTHY RITA DOLAN on Nov. 7.

•

JOSEPH LONGOS, Loew's publicity man in Cleveland, is the father of a girl, born this week in St. Ann's Maternity Hospital.

•

DICKIE LUDWIG, nephew of IRVING LUDWIG, manager of the Art, is touring with a MAJOR BOWES unit.

JAMES R. GRAINGER, Republic president, is in Cincinnati. He will return at the weekend.

•

STANTON GRIFFIS, ADOLPH ZUKOR, BARNEY BALABAN, ALEXANDER INCE, AL LEWIS, ARTHUR LOEW, OTTO PREMINGER and JOHN KRIMSKY lunching at Sardi's yesterday.

•

ARTHUR HOPKINS, LOUELLA PARSONS, ERNO RAPEE, OSCAR A. DOOB, GEORGE SHULTZ, CHARLES E. MCCARTHY, MAX A. COHEN, ED SAUNDERS, ED GRAINGER, HARRY BRANDT, DAVID WEINSTOCK, RUSSELL HOLMAN, PHIL SPITALNY and JOHN W. HICKS at Nick's Hunting Room in the Astor yesterday for lunch.

•

LESTER SANTLEY, JOSEPH MOSKOWITZ, HARRY LINK, HAL HORNE and JOSEPH PINCUS having lunch yesterday at Lindy's (51st St.).

•

HARRY GOLD, ARTHUR SILVERSTONE, JOHN WRIGHT, ABE MONTAGUE and SOL EDWARDS lunching yesterday at Lindy's (next to the Rivoli).

•

BENN JACOBSON, IRVING MARGOLIES, MARVIN SCHENCK, WILLIAM FERGUSON, AL ALTMAN, EUGENE PICKER, JAMES CRON and DOUGLAS ROTHACKER at the Tavern for lunch yesterday.

•

EMERSON YORKE is back from New England.

Newsreel Parade

THE Presidential battle again highlights the newsreels as both candidates are seen campaigning in New York. The conflict in French Indo-China, Ambassador Kennedy returning here, football games and closing of the World's Fair are among the other events. The contents:

MOVIETONE NEWS, No. 15—Roosevelt speaks in New York. Willkie at the World's Fair. War in China. Lew Lehr. Football.

NEWS OF THE DAY, No. 213—Willkie and Roosevelt in campaign talks. Japanese troops in French Indo China. Kennedy returns from England. Greek minister here scores Italian invasion. World's Fair closes. Football.

PARAMOUNT NEWS, No. 18—New York Guardsmen leave for Alabama. Kennedy returns from England. Tokyo recalls ambassadors to Chile and U. S. Japanese troops cross French Indo China border. World's Fair closes. Willkie tours the East. Lewis supports Willkie. Roosevelt in New York. Football.

RKO PATHE NEWS, No. 18—Roosevelt campaigns in New York. Lewis speaks for Willkie in Washington. World's Fair closes. Kennedy arrives from London. Football.

UNIVERSAL NEWSREEL, No. 923—New York Guardsmen to Alabama. Willkie and Roosevelt in New York. Kennedy home from England. Italians bomb Palestine. World's Fair closes. Football.

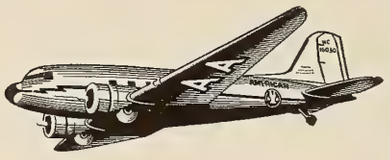
Trailer on Unity Is Made by Warners

"A Plea for National Unity," a 130-foot trailer for showing immediately following the election, has been produced by Warners and will be distributed without charge by Warners, Loew's, RKO, Paramount and 20th Century-Fox.

The trailer urges that the American people stand together and in support of the President. The message is accompanied by patriotic background music. It is planned that the trailer will be shown in all theatres within eight days after election. About 7,000 prints will be made. The Hays Office will coordinate distribution.

Gloria Jean on Tour

Gloria Jean, Universal child star, is on a personal appearance tour, in connection with the Joseph Pasternak production, "A Little Bit of Heaven." She will be in Chicago today, where she will participate in a broadcast, and then come East.



CALIFORNIA

American's Southern Sunshine Route

5 FLAGSHIPS DAILY COAST-TO-COAST

★ It's only an overnight skysleeper trip to Los Angeles via American's Famous Sunshine Route! Delicious meals aloft. Stewardess service. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: Rockefeller Center, 18 W. 49th St.; Grand Central, 45 Vanderbilt Ave.

CONVENIENT DEPARTURES

The Sun Country Special 7:05 am
The Plainsman . . . 4:10 pm
The Mercury (Two Sections) 4:45 & 5:10 pm
The Southerner . . . 10:30 pm

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

'Tropics' Premiere In Paterson Tonight

World premiere of Universal's "Moonlight in the Tropics" will be held at the Fabian Theatre, Paterson, N. J., tonight. Paterson was selected for the premiere because it is the home town of Lou Costello of the team of Abbott & Costello, who make their first Hollywood film appearance with this picture.

A parade will be held in the afternoon with members of the cast participating. Mayor William Furrey has decreed a half holiday for the city's school children so they may view the parade. Governor Harry Moore will be a guest. The Paterson Community Chest Fund and St. Anthony's Church, Paterson, will benefit from the premiere.

RKO Offers Kyser With His Picture

Kay Kyser is being offered for personal appearances by RKO in conjunction with his new picture, "You'll Find Out." First deal for the picture and its star, in person, was closed yesterday with the Roxy, where they will open Nov. 14. The same deal is being offered to theatres elsewhere.

Red Cross Gets $3,896

TORONTO, Oct. 29.—Famous Players Canadian Corp. has turned over $3,896 to the Canadian Red Cross Society as the gross proceeds for the opening day's performances of the world premiere of "North West Mounted Police" at Regina, when Madeleine Carroll, Preston Foster and Lynn Overman made personal appearances.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc.

Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.



ONE THING THAT NEVER CHANGES!

Sales Must Be Separate in Each District

Court to Hear Objections to Decree Nov. 14

(Continued from page 1)

York Allied, an M.P.T.O.A. affiliate; Bob White, representing Pacific Coast Conference of Independent Theatre Owners; Harry Brandt and Milton Weisman, representing the I.T.O.A. of New York; numerous heads of regional exhibitor organizations affiliated with M.P.T.O.A. and Allied, and several individual theatre operators not affiliated with any organization.

Judge Assures Hearing

In reply to a question as to the hearing of objections put to Judge Goddard yesterday by Schechter, the court indicated that it will not be necessary for any exhibitor to intervene in the proceedings to obtain a hearing. Judge Goddard asserted then that "anybody who has an interest in the case will be heard."

Yesterday's court hearing was perfunctory and consumed less than 10 minutes. It followed a 30-minute conference in Judge Goddard's chambers participated in by counsel for the Government and the five consenting companies. Assistant Attorney General James Hayes presented the completed decree to the court and asked that a date for a public hearing be set.

Attorneys in Courtroom

In the courtroom, in addition to Hayes, were: Robert Wright, J. Stephen Doyle and Seymour Krieger, Assistant Attorneys General; Louis D. Frohlich, Herman Finkelstein and Irving Morross, Columbia attorneys; Sidney Schreiber, M.P.P.D.A. counsel; Abe Montague, Columbia general sales manager; Schechter and Norman Samuelson, representing Allied of New Jersey.

At the conference in the Judge's chambers, in addition to the Government attorneys, were: J. Robert Rubin, M-G-M; Austin Keough and Thomas D. Thacher, Paramount; Joseph M. Proskauer, Joseph Hazen and Robert W. Perkins, Warners; Fred Pride, 20th Century-Fox, and O. C. Doering, Jr., RKO.

Set 'Dictator' Run

CLEVELAND, Oct. 29.—"The Great Dictator" will open at the Stillman Friday, on a continuous run policy at 75 cents from 9 A.M. to 6 P.M. and $1.10 in the evening, children 28c at matinees.

Digest of U. S. Decree

(Continued from page 1)

place with title of film must be stated in notice.

Features are defined as films 5,000 feet or more in length. Distributors must file maps of exchange districts and cannot change them without two weeks' notice to the Department of Justice.

Block-of-Five Selling; Short Forcing; Arbitration

4. Features must be sold in blocks of no more than five. Combinations in each block may be varied from time to time. More than one block may be offered at the same time but each must be sold separately. Shorts, newsreels, trailers, serials, reissues, westerns or foreign features must not be forced as a condition for licensing features. Foreign features are defined as those produced outside the United States, except those produced in the English language by the distributor, a subsidiary or affiliate. Forcing shall be subject to arbitration and, if the exhibitor wins, the contract for the films forced is cancelled. Where the purchase of one block is conditioned on purchase of one or more additional blocks, exhibitor may demand arbitration. If the exhibitor wins, the distributor may be fined up to $500, with the fine going to arbitration fund.

Separate Sales In Each District

5. Blocks sold may not include theatres located outside exchange district, nor may the sale in one district be dependent upon a purchase in another district. Arbitration is provided and distributor may be fined up to $500 for violations. Fine goes to arbitration fund.

Each Exhibitor Entitled To Film for Some Run

6. Some run to be designated by distributor must be granted to each exhibitor on terms and conditions fixed by distributor. Terms and conditions must not be calculated to defeat this section. Exhibitor must satisfy reasonable minimum standards of theatre operation and must be reputable and responsible. Distributor, however, may refuse run if he can show that such run would reduce his total film revenue in the competitive area. Arbitration is provided and, if exhibitor wins, he gets some run. Burden of showing reduced film revenue is upon distributor. After award is made, distributor later may ask arbitration to be relieved from award on the ground that his total film revenue has been reduced.

Exhibitor May Cancel Offensive Films

7. An exhibitor may ask cancellation on 10 days' notice on the ground that a feature licensed to him is generally offensive in his locality on moral, religious or racial grounds. The feature shall be deemed cancelled unless the distributor rejects the notice within five days. Disputes are subject to arbitration.

Need for Clearance Seen; Disputes to Be Arbitrated

8. It is recognized that clearance, reasonable as to time and area, is essential. Disputes are to be arbitrated and arbitrator must take into consideration seven factors: The historical development of clearance in the particular area; admission prices, character and location of theatres, including size, type of entertainment, appointments, transit facilities, etc.; policy of operation, such as double features, gift nights, giveaways, premiums, cut rate tickets, lotteries, etc.; rentals paid and revenue derived by distributor; extent to which theatres involved compete for patronage; and all other business considerations, except that arbitrator shall disregard factor of affiliation or non-affiliation.

If the arbitrator finds an unreasonable clearance, he fixes the proper clearance for existing and future license agreements. Either side may ask reopening of award on showing a change of condition. This section and arbitration awards thereunder shall not restrict the exhibitor's right to get any run he is able to negotiate or the distributor's right to license any theatre for any run it desires to grant.

This section shall not apply to a special feature licensed by itself. Such special features may be licensed on special terms and conditions, including special clearance provisions. A special feature is defined as one which for a period of time is exhibited at generally advanced first-run admission prices.

Prints Not to Be Withheld Unfairly

9. In booking prints for exhibitors competing on the same run in the same district, a distributor must not withhold delivery in order to give a competitor a prior playing date not provided in the license. It is recognized that distributors must be given discretion when there are too few prints available. Violations are subject to arbitration, and, if the exhibitor wins, the award should order the distributor to discontinue the practice.

Refusal to Grant Run to Be Arbitrated

10. Controversies arising because an independent exhibitor complains that a distributor has arbitrarily refused to grant a run requested for one of the exhibitors' theatres which was in existence or which replaced a theatre in existence at the date of the decree shall be subject to arbitration. An independent exhibitor is one independent of any circuit of five or more theatres, not affiliated by stock ownership, common ownership, common buying or otherwise with a circuit of five or more and whose li-

(Continued on page 7)

Rules of Arbitration and Appeals

Institution of Arbitration

Clause 1 provides that arbitration proceeding may be initiated by filing with the clerk of the tribunal having jurisdiction in the locality a demand for arbitration and by paying a filing fee of $10. The arbitration demand shall be signed by the complainant and set forth all pertinent details concerning the controversy, including a brief statement of the claim and relief sought.

Arbitration Qualifications

The second clause provides that no person shall be named to a panel of arbitrators who has any financial interest in or connection with the industry. No person may serve if he has or has had any financial or other relations with any of the parties to the arbitration, or has any personal bias.

Appointment of Arbitrator

Not less than 15 or more than 17 days after the filing of a demand, the clerk shall deliver to each party an identical list of arbitrators selected from the Panel of Arbitrators, under Clause 3. The lists must be returned within seven days. The clerk then names an arbitrator from the names acceptable to both parties. If none is so acceptable, the American Arbitration Association shall appoint an arbitrator.

Removal of Arbitrator

Under Clause 4, on written application of any party prior to the date the arbitrator's award becomes final, the American Arbitration Association shall upon satisfactory proof that an arbitrator is disqualified, revoke the appointment and declare the office vacant and the award, if any, vacated. Appointment also may be revoked at any time because of neglect, refusal or failure to perform the duties of the office. In the event of a vacancy, the clerk may appoint a new arbitrator from among the acceptable names.

Hearings

Clause 5 provides that hearings be held at the office of the tribunal having jurisdiction or such other place as is agreed upon, hearings to begin as promptly as possible. Time of hearing is to be determined by the arbitrator, who may adjourn it from time to time.

Hearing Procedure

Arbitrator shall take the oath of office in prescribed form, according to Clause 6. Parties may appear personally or be represented by counsel or others. Each party shall have the right to examine or cross-examine all witnesses. Witnesses shall testify under oath or its legal equivalent. The arbitrator has power to call for

'Reasonable' Clearance Is Seen Essential



If Your Customers Like

DANGER

. . they'll storm your theatre as the crowds are storming the RIVOLI, NEW YORK CITY, where John Ford's greatest production is now in its 4th BIG WEEK. Never has any picture, any time received such acclaim. "Best sea story since 'Mutiny on the Bounty'!" says Louella Parsons. "A superb picture!" raves Walter Winchell. "Unquestionably one of the greatest of all time!" writes McCall's critic, Pare Lorentz, to his nine million readers. While the New York Daily News and Liberty Magazine recommend it to their mighty public with

★ ★ ★ ★



THE LONG VOYAGE HOME

Will Be Released On

NOV. 22, 1940



All Theatre Changes Must Be Reported

Arbitration of Run Disputes Is Provided

(Continued from page 4)

censes are not negotiated by a buying combine or common buying agent negotiating for more than five theatres. A replaced theatre is one erected in the same neighborhood as one which was destroyed or permanently abandoned, must have been erected to succeed to the patronage of the old house and must have no more than 25 per cent additional seating capacity.

Rules Governing Run Arbitration

The arbitrator shall not make an award against a distributor unless he first finds these five major facts: The complainant is an independent exhibitor whose house was in existence at the date of the decreee or replaced such theatre. The refusal must exist for at least three successive months. The distributor must have licensed the features to a theatre which is part of a 15-house circuit or in a buying combine of 15 or more. The complainant's theatre cannot get features sufficient in nature and quantity to enable it to operate on the run requested. Between July 20, 1935, and July 20, 1940, the complainant operated the theatre on the same run or earlier than that now granted to the circuit house; or subsequent to July 20, 1940, and during the two consecutive seasons prior to filing of the complaint, the house was operated on the same or earlier run granted to a circuit house and the complainant during those two seasons exhibited substantially all of the features released by the distributor complained against; or between July 20, 1935, and July 20, 1940, the complainant demanded in writing (demands in writing to include complaints to the Department of Justice) from the distributor the same run or earlier enjoyed by a circuit house, or filed with a Local Clearance and Zoning Board or a Local Grievance Board under the NRA code a complaint which was not acted upon; or the complainant operated his theatre for at least one year prior to the entry of the decree and between July 20, 1935, and July 20, 1940, and his predecessor made the written demands specified in the previous clause. The refusal to grant the run was in fact because the theatre granted the run was a circuit theatre.

Theatre Factors To Be Considered

In deciding, the arbitrator must consider the following factors: Terms; seating capacities; capacity for producing revenue for distributor; character, appearance and condition; location; character and extent of area served; comparative suitability (where two or more houses are contracted for on an "or" basis, i.e., at either of two or more houses, all of such theatres may be considered as a unit); character and ability of exhibitor and his reputation for showmanship and honesty; policy; financial responsibility; and the distributor's prior relations with the competing houses.

The arbitration award, if for the exhibitor, does not affect then existing contracts. However, it shall prohibit the distributor from thereafter licensing either the specified circuit house on the disputed run or the complainant's theatre on such run, otherwise than by a separate contract which shall not be part of any contract for the licensing of features in any other theatre or conditioned upon such licensing in any other theatre.

Within 60 days after receiving such an award, the victorious exhibitor may ask for a further arbitration on the grounds that the distributor has failed to comply with the terms of the award and the arbitrator may grant compensatory damages.

Must Advise U. S. Of New Theatres

11. For three years after entry of the decree, defendants must advise the Department of Justice of commitments for acquisition of additional theatres, including those by corporations controlled by defendants but not parties to the decree, and corporations in which defendants have a financial interest, although they do not control it. On the 10th of each month, statements must be rendered of changes and reasons therefore including theatres contracted to be built or under construction, theatres lost or disposed of, theatres acquired, and interest in theatres acquired. The Department may request further information but all information shall be confidential, except as required for court proceedings.

During the three-year period, defendants shall enter into a general program of expanding theatre holdings but they shall not be prevented from acquiring theatres or interest therein to protect an investment or competitive position, or for ordinary purposes of its business. Proceedings for violation of this subdivision shall be only by application to the court for injunctive relief and shall be limited to the acquisition or disposal of theatres or interests therein acquired in violation of this section.

Eight Factors May End Trade Shows, 5-Block Sales

12. This clause is the so-called "escape clause." Eight separate circumstances are described, upon the occurrence of any one, or combination of them, consenting companies either will be relieved of the trade showings or five-block sales provisions or will be qualified to substitute for them any new or modified provisions governing those practices which may come into being.

Consenting companies may be relieved of the trade showing and five-block sales provisions in the event a decree against United Artists, Universal and Columbia containing such provisions is not entered prior to June 1, 1942.

If such a decree is entered against the three non-consenting companies and the trade show and group-picture selling provisions differ from those contained in this decree, the five consenting companies may apply for and receive the same provisions established for the three companies.

If a decree has been entered against the three companies by June 1, 1942, but is inoperative for reasons of an appeal or otherwise, the trade show and group-picture selling provisions of this decree will be suspended until such provisions in the other decree are put in full force and effect. If the trade show and group-picture sales provisions of the new decree then differ from those of this decree, the five companies may elect to obtain the new provisions.

If a Federal law, rule or regulation governing trade shows and group picture sales is enacted or made at any time, the consenting companies may elect to be relieved from compliance with those provisions of the decree.

Consenting companies may move to vacate the trade show and five-block sales provisions at any time after Sept. 1, 1943, by a contention that 25 per cent of the pictures released during a preceding 12-months' period were distributed otherwise than in accordance with the decree's provisions, or that 12½ per cent or more of the total gross income from rentals in the United States, exclusive of state's rights exchanges, was derived from pictures licensed otherwise than in accordance with the decree's terms.

The decree provisions then will be vacated unless the Government is able within 60 days to prove the contention relating to gross income to be false.

Consenting companies may be relieved of the two provisions if they are able to demonstrate to the court after Sept. 1, 1942, that the business of one or more of them has been "substantially and adversely affected" by compliance with the trade show and group sales provisions by reason of competitors not selling in accordance with those provisions.

Decree Limited To Continental U. S.

13. The provisions of the decree are made applicable only to operations of consenting companies within the 48 states and the District of Columbia, unless such operations or activities conducted in the United States relate to distribution or exhibition outside the United States.

Right to Roadshow Not Affected

14. Nothing in the decree will limit or affect a distributor's right to roadshow a picture on terms and conditions

(Continued on page 11)

Digest of U. S. Decree

Rules of Arbitration and Appeals

(Continued from page 4)

any documents or records from the parties deemed necessary. The arbitrator may hear argument and receive briefs.

Closing and Reopening

After all parties conclude evidence, the arbitrator shall close the proceeding, under Clause 7. Prior to the expiration of the time for making an award, the arbitrator may reopen a proceeding upon his own initiative or for good cause on the written application of any party on five days' notice to other parties. At any time within 20 days after an award the arbitrator may reopen proceedings to correct errors.

Defaults and Withdrawals

If any party withdraws from the proceeding after appointment of an arbitrator, the proceedings shall continue to an award unless all parties consent to dismissal, under Clause 8.

Powers of Arbitrator

The arbitrator shall have the power and perform the duties granted by the decree and arbitration rules, according to Clause 9.

Awards

The award, under Clause 10, shall be filed with the clerk within 30 days from the closing of proceedings or from the date fixed for the filing of briefs, whichever is later. The award shall be specific, shall contain such findings as required by the decree and shall be signed by the arbitrator before a notary public. The arbitrator shall assess costs against the losing party or apportion them among the parties as he deems proper. Costs shall be limited to the arbitrator's fee and filing fees. A copy of the award shall be delivered to each party, and shall become binding unless an appeal is taken.

Arbitrator's Fees

Under Clause 11, the American Arbitration Association shall fix for each arbitration district the per diem rate of the arbitrator's fee, which in no case shall exceed $50 per day. The arbitrator shall be entitled to the fee for each day or part thereof that he shall be occupied. Any expenses incurred shall be borne equally by all parties. No other compensation shall be given the arbitrator. The parties shall deposit each day an amount equal to the arbitrator's daily fee.

Stenographic Cost

Clause 12 provides that the clerk shall arrange for a stenographic record of testimony when it is requested by the parties, who must deposit the cost. Any party must pay the cost of a transcript of the stenographic record if one is desired.

(Continued on page 11)

Eight Factors Contained in Escape Clause

Paran

"NORTH WEST M

HITS 230%



GROSS IN

EQUALS CANADA'S

Paramount Pictures

Gary Cooper • Madeleine Carroll in Cecil B. De

Paulette Goddard • Preston Foster • Robert Preston • Akim Tamiroff

Produced and Directed by Cecil B. DeMille • Original Screen Play by Al

ount's

OUNTED POLICE"



RECORD

U.S.A.

["UNION PACIFIC" record was 130%]

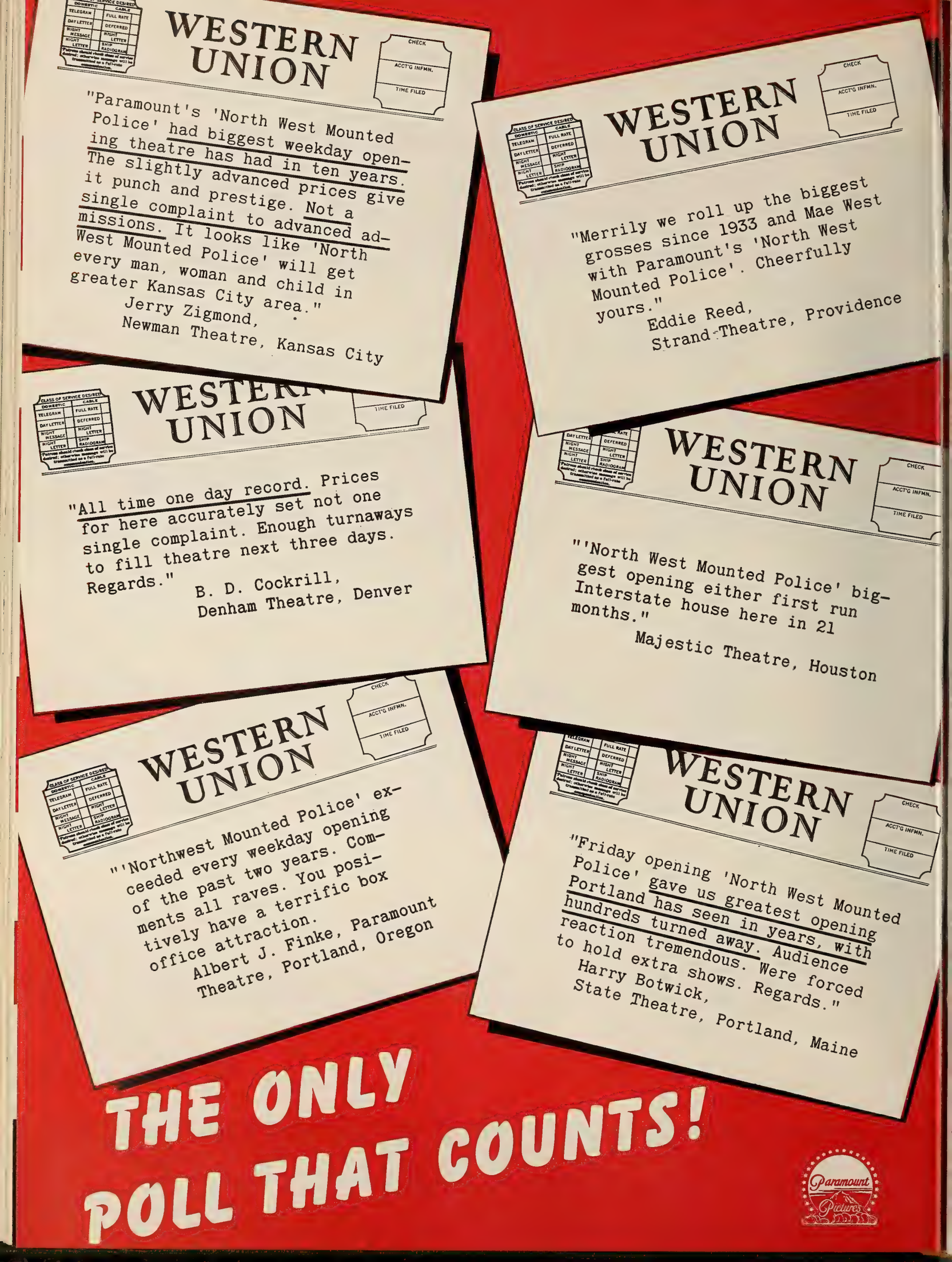
'SNOW WHITE" BUSINESS!

e's "NORTH WEST MOUNTED POLICE"

ne Overman • George Bancroft • Lon Chaney, Jr. • Walter Hampden

, Jesse Lasky, Jr. and C. Gardner Sullivan • A Paramount Picture In Technicolor

Paramount Pictures


WESTERN UNION
"Paramount's 'North West Mounted Police' had biggest weekday opening theatre has had in ten years. The slightly advanced prices give it punch and prestige. Not a single complaint to advanced admissions. It looks like 'North West Mounted Police' will get every man, woman and child in greater Kansas City area."
Jerry Zigmond,
Newman Theatre, Kansas City
WESTERN UNION
"Merrily we roll up the biggest grosses since 1933 and Mae West with Paramount's 'North West Mounted Police'. Cheerfully yours."
Eddie Reed,
Strand Theatre, Providence
WESTERN UNION
"All time one day record. Prices for here accurately set not one single complaint. Enough turnaways to fill theatre next three days. Regards."
B. D. Cockrill,
Denham Theatre, Denver
WESTERN UNION
"'North West Mounted Police' biggest opening either first run Interstate house here in 21 months."
Majestic Theatre, Houston
WESTERN UNION
"'Northwest Mounted Police' exceeded every weekday opening of the past two years. Comments all raves. You positively have a terrific box office attraction.
Albert J. Finke, Paramount Theatre, Portland, Oregon
WESTERN UNION
"Friday opening 'North West Mounted Police' gave us greatest opening Portland has seen in years, with hundreds turned away. Audience reaction tremendous. Were forced to hold extra shows. Regards."
Harry Botwick,
State Theatre, Portland, Maine
THE ONLY POLL THAT COUNTS!
Paramount Pictures

U. S. Won't Seek Divorcement for 3 Years

Extension of Time Allowed Upon Notice

(Continued from page 7)

Rules of Arbitration

Extensions of Time

Clause 13 provides that the parties in writing may agree to extend the specified time in any of the previous rules, and the arbitrator may extend such time upon five days notice to all parties.

Notice of Appeal

Under Clause 14 any party may appeal from an award by filing notice of appeal with, and paying a filing fee of $25 to the clerk, not later than 20 days after the filing of the award. The clerk shall deliver a copy of the notice of appeal to the clerk of the Appeal Board. Three copies of a transcript of the record of the hearing shall be filed with the original clerk.

Record on Appeal

Under Clause 15, on receipt of the three copies of the transcript the original clerk shall prepare the record of appeal, including: demand, statement of intervenors, appointment of arbitrator, clerk's record of hearing, three copies of transcript, exhibits in evidence and award.

Proceedings on Appeal

Within 30 days after filing notice of appeal, under Clause 16, each party shall deliver a copy of his appeal brief to every other party and file with the appeal clerk six copies of such brief. Within 40 days each party shall deliver a copy of any answering brief and file six copies with the appeal clerk. The Appeal Board may order oral argument, or any party may apply for permission to present oral argument. Oral arguments shall be heard by the Appeal Board only in New York City.

Decision of Appeal Board

Clause 17 provides that all members of the Appeal Board must pass on all appeals. The decision with an opinion on the reasons therefor shall be in writing and signed by the members of the Appeal Board or a majority. The decision and opinion shall be filed with the appeal clerk, who shall forward a copy to the tribunal clerk and to the parties. The Appeal Board may affirm, modify, correct or reverse the arbitrator's award, or remand the case for a rehearing.

Subsequent Proceedings

Unless the Appeal Board remands the proceeding to the tribunal or reopens the case, under Clause 18, the decision of the Appeal Board shall be final and become binding on all parties in 10 days.

Extension of Time

Under Clause 19, the parties may by written agreement extend the time specified in any of the rules on appeal and any member of the Appeal Board may do so on written application of any party on five days' notice to all.

Other Controveries

Clause 20 provides that controversies between exhibitors and distributors other than those for which arbitration is provided by the decree may be submitted to the arbitration system, provided at least one of the parties is a distributor defendant, and a submission in writing setting forth the controversy is signed by all parties and filed with the appropriate tribunal clerk.

Access to Records

Under Clause 21 at no time shall access to the record of any proceeding or appeal be permitted to any person not a party, except that awards, decisions and opinions may be made public.

Definitions

Clause 22 defines the various terms used in the Rules of Arbitration.

Digest of U. S. Decree

(Continued from page 7)

fixed by the distributor, prior to general release. A road show is defined as an engagement for which a majority of main floor seats for each evening performance are reserved and priced at a minimum of $1.

Franchises Prior to June 6, 1940, Unaffected

15. The decree will not affect franchises signed prior to June 6, 1940, or any license entered into pursuant to such franchise, except that clearance conditions contained in such contracts between parties to the decree are subject to complaints for arbitration in the future, unless contained in contracts made by a distributor with its affiliated theatres.

Arbitration Refusal Deemed a Violation

16. Consenting companies, their officers, directors, agents or employes shall not be deemed to have violated the decree in instances in which a complaint brought against them may be arbitrated, unless there is involved a refusal to arbitrate or to perform a final arbitration award for damages.

Distributor-Circuit Relations Unchanged

17. Exhibition licensing arrangements between a distribution company and its affiliated theatres remain undisturbed. The same applies to any theatres in which a distributor may, in future, acquire an interest of 50 per cent or more.

D. of J. Granted Right To Inspect Record

18. The Department of Justice has the right, solely for the purpose of securing compliance with the decree, to have access, on reasonable notice to the defendant, to its books and records. The Department is also given permission to interview its officers and employes, the information thus obtained to be held in confidence and divulged only in the course of legal proceedings.

Right to Select Own Customers Upheld

19. A distributor's right to select his own customers is confirmed, to negotiate with and license them upon terms and conditions it sees fit, to the extent that there shall be no violation of the decree.

Sales Changes Go in Effect Sept. 1, 1941

20. Provisions relating to trade showings, sales in blocks of five, restricting sales by an exchange to theatres within the exchange district, and governing refusal by a distributor to license a theatre for a run requested by an exhibitor will apply only to features released in the United States after Aug. 31, 1941.

Divorcement Abandoned For Three-Year Period

21. Consenting companies agree to a three-year trial period for the decree, barring the occurrence of any of the "escape" provisions of Clause 12. In return, the Government agrees not to seek the divorcement of exhibition from distribution and production during the three-year trial period.

Administration Of Arbitration

22. The American Arbitration Association is made impartial administrator of the decree's arbitration system. It shall select panels of not less than 10 arbitrators, having no connection with the industry, in every exchange center in which three or more of the consenting companies maintain branches. A budget committee of three members shall be set up to fix operating costs of the boards for the first and subsequent years. Provisions are made for the amendment of arbitration rules with but few exceptions. An appeal board of three members to be appointed by the Federal court and to sit in New York is provided. Arbitration expenses shall be met by filing fees, penalties and assessments against distributors based on their total annual domestic grosses. Anyone filing a complaint for arbitration agrees to abide fully by the final award in the case, as does any exhibitor or distributor who intervenes in an arbitration proceeding.

Reasons for Court Jurisdiction

23. The Federal court retains jurisdiction over the decree to permit consenting companies to make application for relief or modification under any of the provisions of the decree permitting them to do so, and also to relieve them of conflict with state laws with which they may have to comply.

New Coin Film Company

Show Box, Inc., has been organized by Mitchell Hamilburg, agent and advertising representative; Irving Starr, independent producer; and Murray Briskin, exhibitor, for the sale of automatic coin film machines.

Higher Sales Cost Seen in Los Angeles

HOLLYWOOD, Oct. 29.—While no time has yet been afforded Los Angeles' exchange row for a thorough study of effects on local distribution of the recently signed consent decree, opinion is unanimous that higher costs must result.

Real benefit will accrue to sales staffs, it is believed, in that more men will have to be added to present exchange forces. This, coupled with more trade showings, will raise the cost of selling film, and the increased cost will eventually have to be borne by exhibition.

M-G-M district manager George Hickey said that "while I've not yet been able to really analyze eventual effects of the decree, it cannot help but raise costs. Our men, who now handle large territories, will no longer be able to do so to such an extent. It will mean more men, more work and more expense."

See No Increase in Kansas City Personnel

KANSAS CITY, Oct. 29.—Branch managers here are not too much concerned over the effect on their operations of the consent decree's revision of the method of selling films, particularly the block-of-five provision.

Managers here have not outlined any definite plans, but most of them have given serious consideration to the matter.

Block-of-five selling and trade showings will not, managers believe, require more salesmen or even increase the selling responsibility of the manager. Neither do exchange executives think extra offices will be needed.

However, at the moment, it looks to them as if the inevitable need of more screening facilities will add to the cost of operation.

Managers think that salesmen who ordinarily spend most of their time on the road will, under the block-of-five plan, spend more time on Film Row, doing their selling here as exhibitors come in to trade showings. The new selling basis will mean more over-the-counter selling by bookers.

Monogram Financing 19 Out of 26 Features

HOLLYWOOD, Oct. 29.—"Monogram is producing 19 of the 26 features scheduled for release and is financing them entirely," W. Ray Johnston, president of Monogram, said here.

Johnston went on to say that the company also is financing a series of eight Tex Ritter westerns, and as in the past it will continue to finance 90 per cent of its releases. Monogram is releasing less outside product this year than last, Johnston said.

U. S. Outlines Its Position on Trust Suit

Pact Aimed at Blind Selling, Block Booking

(*Continued from page* 1)

maintain the status quo so far as is practicable.

PRACTICES AFFECTED BY DECREE

Blind Selling and Block Booking

The decree strikes at two selling practices in the motion picture industry which have long been under attack by exhibitor organizations, as well as parent-teacher associations and other public groups, i. e., block booking and blind selling. Various proposals to eliminate these practices have been suggested from time to time and legislation to that end has been under consideration by Congress.

Under the present practice, at the start of each motion picture season an entire year's supply of pictures is sold at one time. The contract is executed before production has started on the majority of pictures covered by it. An exhibitor must rely on what is at best but a sketchy outline of the pictures the distributor intends to produce. This selling practice is commonly known as blind selling. Not infrequently the completed picture differs materially, with respect to story, cast of characters and quality, from the outline previously presented to the exhibitor. As a result, an exhibitor often finds himself in a position where he must play a picture which he would never have licensed if he had seen it.

Trade Showing

Blind selling is prohibited by the decree. Pictures must be completed and exhibited to the trade before they can be sold or offered for sale. The defendant companies are required to trade show their pictures in each of their respective exchange districts. Thus every exhibitor is given an opportunity to see the pictures before he buys them.

Under existing practice, each distributor tries to sell as many pictures at one time as it possibly can and requires exhibitors to contract for all or substantially all of the season's output in order to get any of its pictures. As many as 50 pictures may be included in a single block. This is the practice that is known as block booking.

As a result of this practice, exhibitors have practically no opportunity to select pictures based on the local tastes of the communities which they serve. In addition, the playing time of theatres is filled by pictures bought in large blocks from the defendant companies and exhibitors have little screen time available for showing the product of independent producers.

Selling in Blocks of Five

The decree prohibits the licensing of more than five pictures in a single group. It does not prohibit the licensing of less than five pictures in a single group; distributors are free to sell pictures one at a time or in groups of two, three or four. Although distributors may sell more than one group of five pictures at a time, they may not condition the sale of one group of pictures on the sale of another picture or group of pnctures.

Under the method of selling prescribed by the decree, if an exhibitor finds that a particular group of pictures contains some that are objectionable, he can request that these pictures be eliminated or that other pictures be substituted for them. If the distributor refuses to grant his request, the exhibitor is in a position to reject the group without jeopardizing his entire year's supply of films.

The decree neither requires distributors to grant nor prohibits them from granting to exhibitors the privilege of cancelling one or more pictures in a given group. As a result of the process of bargaining between distributors and exhibitors, cancellation privileges in varying degrees have been granted by distributors in the past though they have not been legally required to do so. Under the decree the parties are free to bargain with respect to cancellation as well as with respect to the particular pictures to be included in a given group.

Offensive Pictures

Exhibitors are given the right to cancel any picture that is locally offensive on moral, religious or racial grounds.

Because pictures to be released during the present selling season have already been contracted for, the provisions of the decree with respect to trade showing and sales in small blocks do not become effective until the opening of the new selling season on September 1, 1941.

Benefits to Be Anticipated

It is reasonably to be expected that the provisions of the decree as to trade showing and sales in small groups will result in an improvement in the quality of pictures as well as in greater opportunity for local community tastes to be reflected in the pictures selected by exhibitors. This new method of selling should open to independent producers a market now closed to them under the system of season block bookings. In addition, exhibitors will have greater and more frequent opportunities to compete for pictures.

Although the method of selling provided for in the decree is new and untried in the motion picture industry, it is believed that it will be of benefit to exhibitors and distributors, as well as to the public. Whether or not the new method of selling will operate effectively can only be determined after a fair trial and that is provided for by the decree.

Justice Department Gives Views on Suit Settlement

ALLEGED UNFAIR TRADE PRACTICES

The suit charged that the defendants had engaged in certain unfair and discriminatory trade practices to the detriment of independent exhibitors. Among these practices were the following:

(1) Granting certain theatres unreasonable clearance over other theatres;

(2) Discriminating in favor of large circuits of theatres and against small independent exhibitors by licensing pictures on preferred runs to the circuit theatres;

(3) Refusing to license pictures at all to certain theatres;

(4) Forcing exhibitors to buy short subjects, newsreels, trailers, serials, reissues or westerns as a condition of licensing feature pictures;

(5) Arbitrarily withholding available prints for the purpose of giving a competitive advantage to certain exhibitors over others.

ARBITRATION OF DISPUTES

To provide a forum for the settlement of complaints with respect to the trade practices described above, the decree sets up a system for the arbitration of disputes between exhibitors and distributors. In this respect, the decree is unique. Its approach to the solution of the problems existing in the industry differs from that of any consent decree heretofore entered pursuant to the provisions of the antitrust laws. Instead of merely prohibiting certain practices and leaving enforcement to the ordinary process of contempt proceedings instituted by the Government, the decree provides a forum in which exhibitors are given an opportunity to have their complaints promptly heard and promptly decided independently of any action by the Government.

The arbitration machinery will be administered by the American Arbitration Association. The decree provides that a panel of not less than 10 arbitrators shall be established in each of the 32 exchange centers in the United States. The arbitrators, who are to be selected by the American Arbitration Association, must be persons having no past or present connection with the motion picture industry. Arbitration can be instituted by the payment of a nominal filing fee. Controversies are to be heard by arbitrators from the panel, selected either by agreement of the parties or by the American Arbitration Association. Persons whose business or property may be affected by an award are given the right to intervene as parties and to participate in the proceeding.

Provision is made for an appeals board of three members to be appointed by the Court to hear appeals from decisions of the local arbitrators. The board is to have its offices and hold its hearings in the City of New York. The cost of maintaining the arbitration system is to be borne by assessments levied against the defendant companies.

This arbitration system will provide a simple, speedy, inexpensive and impartial remedy for the settlement of disputes between distributors and exhibitors.

JURISDICTION RESERVED

The petition filed by the Government in this case asks the court to order the divorcement of production and distribution of pictures from exhibition. The petition is based on the theory that divorcement of production and distribution from exhibition is necessary to eliminate the unfair competitive practices in the industry and to restore fair competition therein. The purpose of the present decree is to provide a means for the elimination of unfair competitive practices in the industry without resorting to the more drastic remedy of divorcement.

The establishment of a system of arbitration to implement the slower and more expensive remedy of private suits under the antitrust laws supplies a long felt need in the motion picture industry. It is to be noted, however, that the decree takes away no existing legal rights of any exhibitor under the antitrust laws. It provides an additional forum for the settlement of disputes for which no provisions have heretofore been made. Properly administered it should put an end to disputes between distributors and exhibitors which have been a constant source of discord and friction in the past and should result in placing the industry on a fair competitive basis. If these results are not obtained after a reasonable trial period, there will be no alternative for the Government but to proceed with

(*Continued on page* 13)

Decree Puts Ban on Unfair Trade Methods

Freeman Heads Committee on National Defense in Hollywood

Hollywood, Oct. 29.—Y. Frank Freeman, president of the Producers' Association, has been elected chairman of the Hollywood National Defense Committee which will work with the New York industry defense committee headed by George J. Schaefer, RKO president.

Meanwhile, studios began preliminary arrangements today on the 100 reels to be made by various studios for the Army for use in instructing recruits. The films will be shown only at camps. The War Department has appropriated $200,000 for the purpose, and more may be forthcoming.

Dr. Leo Rosten has started functioning here as local publicity representative of the National Defense Advisory Commission.

DeSylva Has Three Shows on Broadway

With the opening of "Panama Hattie," musical show, at the 46th Street Theatre tonight, Broadway showmen believe Buddy G. DeSylva, Paramount producer, will have established a precedent, with three musicals playing simultaneously here. The others are "Du Barry Was a Lady," and "Louisiana Purchase."

Arthur Treacher, of films, is in the cast of DeSylva's latest show. Others include Ethel Merman, Betty Hutton, James Dunn, Phyllis Brooks, Joan Carroll and Jack Donahue. Cole Porter wrote the music and lyrics. Nat Dorfman is in charge of advertising and publicity.

70 Phila. Houses To Flash Returns

PHILADELPHIA, Oct. 29. — Election returns on Nov. 5 will be featured at more than 70 Warner theatres in the Philadelphia area. In an extensive tieup made between Everett Callow, Warner publicity director here, and Joseph Connelly, promotion director of WCAU, the radio station through Transradio Press will service the houses with election news flashes. At regularly scheduled intervals over loudspeakers, the picture will be broken in for 30-second announcements on the balloting.

A special news room is being set up by the radio station to handle the Warner tieup and it will be operated independently of the regular broadcasts. Two special telephone lines will be installed, one trunk line for the 10 center city houses and the other for the 10 key neighborhood houses. The theatres will work on time schedule, making calls every three minutes to obtain their information. All the theatres will be supplied with special tabulation blanks to eliminate unnecessary time on phone calls and an elaborate system whereby the other neighborhood houses will get information has been worked out.

Reserve Decision in Ohio Bank Night Suit

COLUMBUS, Oct. 29.—The Ohio Supreme court has heard arguments and took under advisement the case of Troy Amusement Co., Troy, appealed from the Common Pleas and Appellate courts, both of which have ruled that Bank Night is a lottery.

The original suit was filed by Andrew Attenweiler, a taxpayer, seeking judgment for $500 exemplary damages, plus $10 admission refund over a stipulated period, and asking that Bank Night at the Mayflower in Troy be discontinued on the ground that it violates the Ohio lottery law. The defense contended that no element of lottery was involved. The decision will have a far-reaching effect, since it is expected to establish a precedent in Ohio, where similar cases attacking the constitutionality of Bank Night are being held in abeyance pending outcome of the Troy proceedings.

Government's Statement

(*Continued from page* 12)

the litigation and press for a revision of the entire industry structure in accordance with the prayer of the petition.

To give the arbitration system a fair trial the Government will not seek divorcement or dissolution for a solution for a period of three years. In the interim the defendants have agreed not to engage in any general program of expansion of theatre holdings, with certain stated exceptions. Thus the status quo will be maintained during the three-year period to the extent that it is practicable.

PARTIES CONSENTING

The companies consenting to the decree are Paramount Pictures, Inc., Loew's, Inc., RKO Radio Pictures, Inc., Warner Brothers Pictures, Inc., Twentieth Century-Fox Film Corporation and their subsidiaries and affiliated companies. All five of these companies are engaged in the exhibition of pictures as well as in production and distribution. Three of the companies that were named in the original complaint, namely, United Artists Corporation, Universal Pictures Company, Inc., and Columbia Pictures Corporation, have not joined in the decree. None of these companies owns any theatres. The case will proceed to trial against these three companies at a time to be fixed by the court. To protect the consenting defendants against the competitive advantages that the three non-consenting companies may enjoy if they are not required to conform their selling practices to the provisions of the decree with respect to trade showing and sales in small groups, the decree provides for the termination of these provisions as against the five consenting companies in the event the Government has not succeeded in procuring a decree requiring the three non-consenting companies to comply with similar provisions by June 1, 1942. All of the other provisions of the decree remain in effect regardless of the outcome of the suit against the three non-consenting companies.

CONTINUED SUPERVISION

The Department of Justice proposes to keep a constant check on the operation of the decree. The records of the arbitration system are subject to inspection by the Department at all times, as are the records of the defendants relating to the operation of the decree. A unit will be established in the Antitrust Division to keep in touch with the operation of the decree and to handle complaints with respect to it. As a result of the information thereby obtained, the Department will be in position to determine what further action, if any, need be taken at the end of the trial period.

20th-Fox Recalls Sanders; Studios' Production Notes

Hollywood, Oct. 29.

AFTER an absence of more than two years, GEORGE SANDERS returns to his home lot, 20th Century-Fox, which incidentally has been loaning out the player for that period, to be starred in "Uncensored," in which he will play a dual role. In SANDERS' last picture at 20th Century-Fox, "Lancer Spy," he also played a dual role.

• •

RKO has signed Victure Mature to a two-picture-a-year deal, through arrangements with Hal Roach, for three years. . . . Ronald Colman's next picture will be "Palm Beach, Ltd.," first of William Hawks' United Producers Corp. pictures to be released through RKO. Lewis Milestone will direct the John Van Druten screenplay.

• •

BETTY BREWER gets a special role in Paramount's "Las Vegas Nights." . . . Sidney Buchman has been assigned to write the script of "A Cool Million," which SAM BISCHOFF will produce for Columbia. . . . CHARLES R. ROGERS announces the acquisition of "Mermaids on Parade," a musical comedy, for his Columbia schedule. It is an original by WILLIAM A. PIERCE, his executive assistant. . . . OLIVE BLAKENEY, London musical comedy star, has been signed by ERNEST LUBITSCH for the second feminine lead in "That Uncertain Feeling." . . . "Home, Sweet Home" is the title of the next Monogram "East Side Kids" picture which SAM KATZMAN will produce. . . . ZASU PITTS has been set for a comedy role in RKO's "No, No, Nanette."

• •

MICKEY ROONEY and SPENCER TRACY will be co-starred in "Men of Boystown" at M-G-M, as a sequel to "Boystown" in which both appeared. NORMAN TAUROG will direct and JOHN W. CONSIDINE, JR., will produce. TRACY is now appearing in an untitled film based on the life of Dr. Ephraim McDowell. . . . Another big picture to be announced at the same studio is "Mr. Co-Ed," which will star WILLIAM POWELL and MYRNA LOY. JACK CONWAY will direct this SAM ZIMBALIST production.

• •

Paramount has purchased "You Go Your Way," comedy by KATHARINE BRUSH, and EDWARD H. GRIFFITH will produce and direct. No other assignments have been made. . . . Republic has signed JOSEPH SANTLEY, director, to a term contract. His most recent picture was "Melody Ranch," the GENE AUTRY picture, and before that "Melody and Moonlight." . . . That studio has cast JED PROUTY, remembered as the father in 20th Century-Fox's "Jones Family" series, in "Barnyard Follies," with MARY LEE, RUFE DAVIS and JUNE STOREY.

Yates Working on New Republic Setup

Hollywood, Oct. 29.—Herbert J. Yates is reported working on a plan under which Republic exchanges would operate in accordance with the decree. Yates is expected here for production conferences at the end of November, at which time the next quarter's product will be set. At that time, he is expected to divulge how the studio will conform to the change, if any, of distribution procedure.

Expect to Settle Phila. Trust Suit

(*Continued from page* 1)

ing conducted by Morris Wolf, attorney for Warners, with Irvin A. Weingrad, attorney for Rubin Shapiro, operator of the Admiral. The negotiations will be resumed on the return to the city of Ted Schlanger, Warner Theatres zone chief, who is ill.

Negotiations for a settlement of the Carmen Theatres anti-trust suit against the same defendants also have been initiated, but Wolf said there is no assurance at this stage that the negotiations will be completed. The suit was filed several years ago and no date for a hearing has been set yet. The plaintiff theatre is in receivership and a settlement is said to be contingent upon its obtaining additional product from major distributors.

The only remaining anti-trust suit of the half-dozen pending here recently is that filed last November by Henry Friedman, operator of the Lansdowne for $150,000 damages in an action similar to the Admiral case. No hearing has been set for this case and no effort is being made to settle it out of court.

The anti-trust suit brought by David Milgram against Warners and major distributors was settled out of court last month.

British Trade Close To Normal: Reisman

Phil Reisman, RKO foreign manager, yesterday confirmed recent statements of other company officials that film business in England is nearly normal, despite the war

No successor to the late Ralph Hanbury, British managing director, will be appointed for the time being, Reisman said. George Dawson and E. W. Holme are in charge of RKO affairs in the United Kingdom.

Reisman, who returned last Saturday from South America, said it is "ridiculous" for the industry to anticipate recouping European losses in Latin America. Such talk is detrimental to the business in that territory, he declared.

Guild Wins Two More

HOLLYWOOD, Oct. 29.—Screen Office Employes Guild has been designated as bargaining agent at 20th Century-Fox and Walter Wanger studios in a N.L.R.B. election.

Draft Lottery Is Broadcast By All Stations

Virtually all radio stations yesterday carried the broadcast of the draft lottery and many went to considerable efforts to give complete coverage and feature special programs after the first broadcast from noon to 12:45.

The first two numbers called, 158 and 192, affected two NBC employes, Evan Wylie, of the special events department recently promoted from page boy, and Alwin Foster of the NBC research department. Milton Burgh, assistant to A. A. Schecter, special events head, was 119th to be called.

Stephen McCormick, chief announcer for WOL, Washington, who was announcing the broadcast for Mutual, and who, incidentally is Mutual's contact man with the Army and Navy Selective Service division was the 19th to be called. Palmer B. Forsmore, transmitter engineer for KABR, Aberdeen, S. D., drew number 158.

A touch of drama was provided during the initial broadcast when it was discovered that a mother whose son's number was 158 was present at the drawing in Washington. The networks interviewed her over the air. In New York, Mutual scored a beat by putting the first holder of 158 on the air at 1:10 P.M. WHOM and WAAT had two holding the fateful number on the air shortly thereafter.

WNEW broke into sustaining and sponsored shows all day to keep New York abreast of the latest drawings. NBC kept both its networks open overtime early this morning to give a resume of all numbers drawn. CBS had two special programs during the day to read the numbers called.

Francisco Resigns From Lord & Thomas

Don Francisco resigned yesterday as president of Lord & Thomas to accept a post in the Federal Defense Organization to serve on the Committee on Communications under Nelson Rockefeller, coordinator of commercial and cultural relations among the American republics. No successor will be named. Francisco remains a stockholder, director and a member of the executive committee of Lord & Thomas.

Television Permit to Milwaukee Journal

WASHINGTON, Oct. 29.—A permit for a television station to be built in Milwaukee by the Milwaukee *Journal* was granted today by the FCC. The station will operate on 66-72 m.c. with 1,000 watts power. The FCC also had granted the request of Walczak Laboratory, Springfield, Mass., to dismiss its application for an experimental television station.

Connie Russell Option

M-G-M has taken an option of the services of Connie Russell, 16-year-old singer who has been appearing at the Famous Door.

Feature Review

"Escape"

(M-G-M)

FROM the widely read and much discussed novel of Ethel Vance, "Escape" is heavily dramatic in theme and treatment. By reason of its subject matter and origin, it should lend itself to vigorous and productive exploitation.

"Escape" treats harshly of the Nazi system of oppression, with countless examples of the cruel and relentless subjugation of all human liberties in Germany. In the lead are Robert Taylor and Norma Shearer, assisted with admirable skill by Conrad Veidt, Nazimova, Felix Bressart and Albert Bassermann.

Taylor, an American, goes to Germany to find his mother, played by Nazimova. Once famous as an actress, he discovers her to be under sentence of death in a concentration camp for alleged treason to the state. All avenues are closed, until Bressart, old servant, agrees to help. A doctor in the camp, not wholly devoid of human sentiment, so drugs the woman that she appears dead. A high degree of suspense is engendered as Bressart and Taylor remove the "body" under the eyes of the political police.

They take her to the home of Miss Shearer, a countess whose intimate friend is Veidt, a Nazi general. She assists them, and, at the last moment, makes possible their escape, as she prevents the general from spreading an alarm which would have meant death for them all.

Mervyn LeRoy directed from a screenplay by Arch Oboler and Marguerite Roberts.

Running time, 104 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

Legion Approves Ten New Pictures

All 10 new films reviewed by the National Legion of Decency have been approved, three for general patronage and seven for adults. The pictures and their classification follow:

Class A-1, Unobjectionable for General Patronage—"The Boss of Bullion City," "Li'l Abner," "Youth Will Be Served." Class A-2, Unobjectionable for Adults—"Angels Over Broadway," "The Devil's Pipe Line," "East of the River," "The Great Dictator," "The Hit Parade of 1941," "Mexican Spitfire Out West," "Street of Memories."

Poli Usher Party Set

NEW HAVEN, Oct. 29.—Loew-Poli ushers will hold their annual formal Thanksgiving dinner-dance at Seven Gables Inn, Nov. 20, with Harry F. Shaw, division manager; Lou Brown, Robert Russell, Sam Badamo, Nat Rubin and William Reisinger as guests of honor. Chairman is Marshall Blevins.

Marjorie Rambeau Due

Marjorie Rambeau will come here for the opening of "Tugboat Annie Sails Again," Warner film, at the Strand Nov. 8 in which she has the leading role.

Organize Manager Group in Cincinnati

CINCINNATI, Oct. 29.—The Entertainment Managers' Association, composed of booking agents in this section, has been organized here for the purpose of assisting buyers of music and entertainment. It is patterned after a similar organization operating in Chicago.

Arthur Dahlman has been elected president; Mrs. J. Cavanaugh, first vice-president; Jack Middleton, second vice-president, and Wally Jackson, secretary and treasurer. Directors are: Alma Bahlke, Roy Meyers, Morris Jones, Ray Kolb, Ruth Best and Horace Williamson.

Want Jobs Back

HOLLYWOOD, Oct. 29.—Studio Transportation Drivers Local 399 will authorize its officers to negotiate a change in contracts with studios guaranteeing leaves of absence and return of jobs to members called for military service. The union plans to maintain insurance and good standing of members affected.

Forest Joins Melbern

Joseph Forest, assistant to Milton Silver, National Screen Service advertising manager, the last three years, has resigned to take a partnership in Melbern Press.

Tax System Causes 'Wind' Delay

MEXICO CITY, Oct. 29

TWO reasons are assigned for deferring exhibition of "Gone With the Wind" here until the turn of the New Year. One is that as this film is expected to break box-office records and as the Municipal Treasurer is conducting a check on theatre attendance until the end of the year, to determine a base for the 1941 imposts (this is an annual custom during the last quarter of the year in Mexico), such a strong picture would mean artifically high levies for the exhibitors during next year.

The other reason is that Mexico's long Christmas celebration, lasting from Dec. 12 until Jan. 6, is so much of a home affair that exhibitors usually experience a severe slump in business .

Short Wave Use Is Left to Picture Heads

Sponsorship of short wave broadcasts by film companies will be left to company heads for decision, it was reported yesterday following a meeting at NBC offices between representatives of the network, four major companies and the Hays office.

Company officials made clear the difficulties of selling pictures in Latin America by use of short wave but Lunsford P. Yandell, manager of the NBC international short wave division, pointed out the value of using the medium for good will purposes. Foreign managers present, however, declared that a program intended for good will should be decided upon by company heads rather than foreign department executives.

After the meeting Yandell declared that the only result was a suggestion that NBC submit specifications for the type of program to be used and explore the relationship of the broadcasts to the defense committee's activity with the Hays office so that the whole program might be unified.

Present yesterday were J. S. Hummel, Robert Schless, Warners; Phil Reisman, RKO; Albert Dean, Paramount; Arnold Picker, Columbia; Kenneth Clark, Hays office; John F. Royal and Yandell, NBC.

Canadian Pioneers Meeting on Nov. 13

TORONTO, Oct. 29.—The date of the first annual meeting of the Canadian Picture Pioneers has been fixed for Nov. 13, at the Royal York Hotel here, instead of Nov. 11, which is a national holiday in the Dominion, according to Clair Hague, president.

Officials of the American Picture Pioneers, led by Jack Cohn, have advised the headquarters of the Canadian society that they will attend the Toronto meeting which will be followed by a three-day rodeo in the Toronto Coliseum under the auspices of the Pioneers. Gene Autry will be featured, the proceeds of which will be forwarded to the Lord Mayor's Fund for the relief of London bombing victims.

Equity Fines Miss Bruce

Carol Bruce was fined $500 and ordered to discontinue her appearances on the Ben Bernie show over NBC and at the Sert Room of the Waldorf-Astoria, by the Actors Equity council yesterday. B. G. DeSylva, producer of "Louisiana Purchase," filed a complaint on the ground Miss Bruce allegedly violated her exclusive service contract.

Form Delivery Unit

PHILADELPHIA, Oct. 29.—The Horlacher Film Delivery Service here and the Exhibitor Film Service in Pittsburgh have formed the Clark-Callahan route, a cooperative unit for deliveries of prints over the new superhighway from Harrisburg to Pittsburgh by truck overnight, saving 24 hours.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 87 NEW YORK, U. S. A., THURSDAY, OCTOBER 31, 1940 TEN CENTS

Box Offices Feel Effects Of Air Talks

Time Differences Limit Damage to Grosses

Political broadcasts have varying effects on box-office grosses nationally because of the differences in time over the country, a survey shows. This is because the speeches generally are made in the late evening, when sponsored programs are off the air and the charges therefore are less.

A 10 o'clock broadcast in the East means 9 P.M. in the Midwest, 8 P.M. in the Mountain States and 7 o'clock on the Pacific Coast.

Thus a speech which would not interfere with film shows in the Atlantic states might interfere with the box-office in other sections. On the other hand, a 9 o'clock speech here, which would have a damaging effect in the East would be practically unnoticed on the Coast.

The combination of both major political candidates on the same night generally hurts grosses, but lesser candidates are not interfering greatly with theatre attendance. Nights when

(*Continued on page 5*)

Syracuse Exhibitor Group Meets Today

SYRACUSE, N. Y., Oct. 30.—Organization of the Central Division of the M.P.T.O. of the State of New York is scheduled to be completed at a meeting of exhibitors here tomorrow. The local group is headed by Sidney L. Grossman. Policies for the organization are expected to be outlined, and officers and directors of the Syracuse area will be elected.

Universal's 'Tropics' Opens in Paterson

PATERSON, N. J., Oct. 30.—The Universal film, "One Night in the Tropics" had its world premiere at the Fabian theatre here tonight, with all the festivity of a Hollywood opening.

The event honored Lou Costello of the cast, who is a home-town boy, and who appears with Allan Jones, Nancy Kelly and Costello's partner, Bud Abbott. The entire proceeds of the premiere performance, priced at $5 top, went to the Paterson Community

(*Continued on page 5*)

NBC Will Televise Election Returns

NBC will cover the national election by television Tuesday and will attempt to give visual aids to interpreting the returns. Charts, maps and tables will be kept up to the minute to give a pictorial story of the voting. The program will start at 6:45 P.M. with the regular commentary of Lowell Thomas and will continue until the election has been decided. Earl Godwin, H. V. Kaltenborn, Raymond Clapper and John B. Kennedy will also make appearances.

Kennedy May Meet Foreign Managers

Ambassador Joseph P. Kennedy may attend a meeting of major company foreign managers to discuss with them the new British currency plan.

Kennedy met with Will H. Hays, M.P.P.D.A. president, yesterday for a discussion of the new British proposal. If Kennedy is unable to attend a meeting of the foreign managers, which would be called at his convenience, Hays will report instead.

Meanwhile, it was said that final action on the new proposal is not mandatory today, despite the expiration of the old agreement. Some foreign managers are still hopeful of obtaining better terms than those offered by Britain. However, the prevailing impression is that the $8,000,000 unrestricted withdrawal, and 50 per cent of the second $8,000,000 on an "if earned" basis, represent the best terms Britain is prepared to offer.

PARA. PARTNERS MAY NOT OPPOSE CONSENT DECREE

Attitude Is Unchanged, But Many Feel Fight By Exhibitor Organizations at Nov. 14 U. S. Court Hearing Will Be Ample

Paramount theatre associates, representing about 1,000 theatres in the United States, will not appear in active opposition to the Federal consent decree at the Nov. 14 hearing in U. S. district court here, according to present indications. This group was the first to voice objections to the terms of the Federal decree as proposed.

This is not due to any change of attitude on the part of the Paramount theatre operators, but rather to the fact that opposition to the decree has spread to probably all organized exhibitor groups since the Paramount associates first met in Chicago and New York to study the document's provisions and decided to oppose its approval by the court even if they had to do it alone.

Many of the Paramount partners are convinced that the case against the decree will be thoroughly and amply presented by organizations such as Allied States, M.P.T.O.A. and the New York I.T.O.A. They feel that the opposition of these groups, representing greater numbers and different classifications of exhibitors, will carry greater weight in court.

The Paramount associates still are as openly opposed to the block-of-five and other provisions of the decree as ever and, while they will probably

(*Continued on page 5*)

Local Actions Held Up Until N. Y. Windup

Periodic postponements of the Government's Buffalo, Nashville and Oklahoma City anti-trust suits will be requested by the Department of Justice from time to time until the Federal court here has taken final action on the consent decree in the New York suit.

If the decree is approved, the five consenting companies will be dismissed as defendants in the three out-of-town actions.

Defense answers to the Government's interrogatories in the Nashville

(*Continued on page 5*)

Networks Will Broadcast 24-Hour Election Service

Radio networks will observe the 20th anniversary of the start of regular broadcasting election night by an extensive all-night coverage of voting results. Broadcasting dates from the first announcements of the Harding election returns over KDKA, Pittsburgh, in 1920.

NBC has arranged with sponsors of all commercial programs to make provision in the scripts for the broadcast of election returns. Variety shows will work the returns into the script. On musical shows, the music will be toned down and the announcer's voice will be superimposed. After 10 P.M. it will be all election returns.

CBS, taking the position that returns will not start coming in earnest until after sponsored programs are off the air, has taken five minutes every half hour from each of the sponsored shows and will devote them to reading returns. Sponsors will receive proportionate rebates for the time taken. After 9:30, however, returns will be broadcast as fast as they are received, and will continue all night until the election is decided.

Mutual, which has all its commercials early in the evening before 8 o'clock, will not have to cut into

(*Continued on page 8*)

Allied to 'Police' Trade Practices

COLUMBUS, Oct. 30.—Allied States' Information Department plans to thoroughly "police" trade practices for the protection of exhibitors in their dealings with local exchanges, Sidney Samuelson, department chairman, told the I. T. O. of Ohio convention which opened here today.

Samuelson said that the department's activity will include checking on films in work, maintain a library of product announcements and a file of analyses of contract clauses.

Arthur W. Kelly, United Artists general sales manager, addressed the convention in answer to Allied charges concerning "Foreign Correspondent,"

(*Continued on page 5*)

20th-Fox to Make First Draft Film

Hollywood, Oct. 30.—The first film dealing with the draft is planned by 20th Century-Fox. "Arise and Shine," originally intended to portray Army maneuvers at Plattsburg, N. Y., will be changed to conform to the draft call and activities. Lou Edelman, producer, and Delmer Daves are writing the story.

Freeman Appoints Defense Committee

HOLLYWOOD, Oct. 30.—Y. Frank Freeman, chairman of the Production Defense Coordinating Committee, today announced the committee's membership as it held its first meeting.

The committee will cooperate with the industry's National Defense Coordinating Committee including New York executives and headed by George J. Schaefer. Schaefer spoke to the publicity directors' committee today.

The Hollywood defense committee will include: Darryl F. Zanuck, Walter Wanger, Sam Briskin, Jack Chertok, Gordon Hollingshead, Frank Capra, Edward Arnold, Sheridan Gibney, Richard Day, Nathan Levinson, John Arnold, John Nickolaus, Charles Boren, Fred Meyer, Alfred Newman, Jock Lawrence, Howard Strickling, Robert Taplinger and Mendel Silberberg.

Gould Due Tuesday From South America

Walter Gould, newly appointed foreign manager of United Artists, is en route to New York by plane from South America. He is scheduled to arrive here next Tuesday after stopovers en route.

Gould has been in South America for the past two months on business, during which time Arthur W. Kelly, United Artists vice-president and former foreign department head, was made general manager of domestic distribution. Gould succeeded him in the foreign post.

Columbia, UA Join In Unity Short Cost

Columbia and United Artists have joined five other major companies in helping to defray the production and distribution cost of the 130-foot subject, "A Plea for National Unity," produced by Warners.

Loew's, RKO, 20th Century-Fox and Paramount are the other companies participating. Columbia and United Artists, however, will not participate in the physical distribution of the subject. The Hays office will coordinate distribution.

Col. Reports Salaries

Columbia Pictures yesterday reported to the Securities and Exchange Commission the following salaries for the year ended June 30: Cary Grant, $206,250; Wesley Ruggles, $199,999; Loretta Young, $170,000.

Personal Mention

CHARLES EINFELD, Warners' advertising and publicity director, will leave tomorrow with MRS. EINFELD for the Coast after home office conferences.

•

MAURICE SILVERSTONE, United Artists chief executive, and CHARLES SCHWARTZ, company counsel, have postponed their departure for the Coast until after Election Day.

•

MR. and MRS. EDWIN L. WEISL return from Chicago today.

•

LOU SMITH, Columbia studio publicity head, will leave for the Coast today after a brief home office visit.

•

CECIL B. DEMILLE left for the Coast yesterday by train after several days here. He was accompanied by MRS. DEMILLE, GLADYS ROSSON, WILLIAM H. PINE, GARY COOPER, MADELEINE CARROLL and PAULETTE GODDARD.

•

C. C. MARGON, Universal foreign department executive, left for Mexico and South America by plane last night. He is scheduled to return around the first of next year.

•

A. M. SCHUMAN, president of Allied of Connecticut, and operator of the Black Rock, Bridgeport, Conn., is confined to his home with grippe.

•

WILLIAM J. HEINEMAN, Western sales manager for Universal, leaves today for an annual two-week hunting trip to Montana.

WALTER J. HUTCHINSON, 20th Century-Fox foreign manager, who has been ill at his Connecticut home for the past two weeks, is expected at his office Monday.

•

CHARLES CASANAVE, OSCAR A. DOOB, SAM SHAIN, EARL CARROLL, STANTON GRIFFIS, BARNEY BALABAN, J. J. UNGER, CHARLES M. REAGAN, GEORGE WELTNER, MAX DREYFUS, ED SAUNDERS, SIDNEY PHILLIPS and RUSSELL HOLMAN lunching at Nick's Hunting Room in the Astor yesterday.

•

BEN HECHT, CHARLES SONIN, HARRY BUXBAUM, CLAYTON BOND, DAVE BLUM, VERNON DUKE and ARTHUR KRIM lunching at Sardi's yesterday.

•

HARRY LINK, JACK GOETZ, LESTER SANTLEY, HARRY L. GOLD and GEORGE JOY at Lindy's (51st St.) yesterday for lunch.

•

JOSEPH VOGEL, WILLIAM MOSES and EUGENE PICKER lunched yesterday at Lindy's (next to the Rivoli).

•

LEON BAMBERGER, FRED MCCONNELL, LOU POLLOCK, HANK LINET, AL CHRISTIE, WALTER BROOKS, WILLIAM FITELSON, JACK MAYER and SAM CITRON lunching yesterday at the Tavern.

•

WILSEY ACKERMAN, operator of the New Berlin at New Berlin, N. Y., is the father of a boy, born early this week.

•

HENRY KOSTER, Universal director, is expected from the Coast tomorrow.

RKO Handles Only Kay Kyser Picture

RKO is concerned only with the booking of Kay Kyser's new film, "You'll Find Out," and is not offering Kyser for personal appearances in connection with the first bookings for the picture, Ned E. Depinet, RKO vice-president and distribution head, said yesterday.

Kyser's one week booking at the Roxy, beginning Nov. 14, in conjunction with the opening of the picture there, was handled by Music Corp. of America, his personal representative. The Roxy plans to open its doors two hours earlier daily during the Kyser engagement.

Fox Uses Vaudeville In Milwaukee Spots

MILWAUKEE, Oct. 30.—To bolster weekend business, Fox has spotted vaudeville into a number of neighborhood houses on Sundays. Matinee and evening performance have been given at the circuit's Paradise, Zenith, Venetian and Riviera in addition to the regular dual bill at no increase in prices.

In addition, Fox is featuring Dr. I. Q. in its Wisconsin first run downtown house, on successive Monday nights.

'Dictator' Set in L. A.

LOS ANGELES, Oct. 30.—"The Great Dictator" will open with an elaborate premiere here at the Carthay Circle on Nov. 14.

Griffis' Daughter Wed to Latouche

Theodora Griffis, daughter of Stanton Griffis, chairman of the executive committee of Paramount, and chairman of the board of Madison Square Garden, and Mrs. Dorothea N. Griffis, was married yesterday afternoon to John Treville Latouche, writer and composer of "Ballad for Americans."

The wedding was held at the Fifth Avenue Presbyterian Church. Reverand Ralph Nesbitt performed the ceremony. The couple left yesterday evening by plane for a honeymoon in Mexico.

Tyson on Ice Show

PITTSBURGH, Oct. 30.—Publicity Director George D. Tyson of the Harris Amusement Co., has been given a leave of absence to manage the "Icecapades of 1941" during its scheduled road tour. He has also bought an interest in the show, which is owned by the Arena Managers' Association, of which John H. Harris is president. Ken Hoel, Harris assistant publicity director, will assume Tyson's theatre position.

To Film Wilder Story

Herman Weissman, former foreign film producer, will shortly produce a film version of the Thornton Wilder story, "The Bridge of San Luis Rey." Weissman has acquired the rights from M-G-M and plans to make the picture either in Hollywood or Mexico.

And a Scholar

Pittsburgh, Oct. 30.—Here for an appearance last week at the Stanley, Charles Laughton carried a number of books in his luggage. The titles included "Plutarch's Lives," Marcus Aurelius' "Meditations," a complete Shakespeare, and "Adventures in Good Eating."

KAO 39-Week Net Is Up to $489,259

Keith-Albee-Orpheum Corp. and subsidiaries yesterday reported net profit of $489,259, after all charges, for the 39 weeks ended Sept. 28, 1940. The net is equivalent to $7.69 per share on 63,586 shares of seven per cent cumulative convertible preferred stock outstanding, and compares with profit of $476,540 for the corresponding 1939 period.

Profit for the 12 months ended Sept. 28, which, however, does not represent the company's fiscal year, amounted to $989,346 after all charges.

B. F. Keith Corp., and subsidiaries reported net profit of $279,685 for the 39 weeks ended Sept. 28, and net profit of $698,385 for the 52 weeks.

Michele Morgan RKO Party Guest

Michele Morgan, French player under contract to RKO, was the guest yesterday afternoon at a reception in the Cottage Suite of the Hampshire House. Approximately 100 representatives of the trade and fan press, syndicates and film company executives, attended. Miss Morgan will leave over the weekend for the Coast studio.

Among those present were: Reginald Armour, Phil Reisman, Ned E. Depinet, A. W. Smith, Cresson E. Smith, S. Barret McCormick, Gordon E. Youngman, Robert Mochrie, William Boehnel, Alice Hughes, Lester Grady, Fred Lynch, Dorothy Hosking, Kate Cameron, Richard Hanser, Sam Shain, Abel Green, Josette Lacoste, A. A. Schubart, William S. Savage.

Garbo Asks Citizenship

HOLLYWOOD, Oct. 30.—Greta Garbo today filed an application for citizenship. She was born in Stockholm.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

ON! SOON! SOON! SOON! SOON!

Bette Davis

The Letter

with HERBERT MARSHALL • JAMES STEPHENSON

FRIEDA INESCORT • GALE SONDERGAARD

A WM. WYLER PRODUCTION

Screen Play by Howard Koch
Music by Max Steiner



EASILY HER ALL-TIME GREATEST!

SOMERSET MAUGHAM WROTE IT AND

WARNERS made it!

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Oct. 4	So You Won't Talk (C) *Joe E. Brown F. Robinson*	Dulcy (C) 106 *Ann Sothern Ian Hunter*	The Ape (D) 4001 *Boris Karloff*	The Quarterback (C) 4004 *Wayne Morris Virginia Dale*	Frontier Vengeance (O) 072 *Don "Red" Barry*	The Villain Still Pursued Her (C) 105 *Herbert-Louise*	Gay Caballero 108 *Cesar Romero Robert Sterling*		Diamond Frontier (D) 5019 *McLaglen-Nagel*	Knute Rockne-All American (D) *O'Brien-Page*
Oct. 11		Third Finger Left Hand (C) *Myrna Loy Melvyn Douglas*	Drums of the Desert (D) *Ralph Byrd*	Cherokee Strip (O) 4005 *Richard Dix Florence Rice*	Melody and Moonlight (M) 005 *Johnny Downs*	Too Many Girls (M) 106 *Ball-Carlson*	Down Argentine Way (M) 113 *Don Ameche Betty Grable*		A Little Bit of Heaven (M) *Gloria Jean Robert Stack*	Father Is a Prince (C) *Grant Mitchell Nana Bryant*
Oct. 18	Nobody's Children (D) *Edith Fellows Billy Lee*		Old Swimmin' Hole (D) 4010 *Moran-Jones*	Moon Over Burma (D) 4006 *Dorothy Lamour*	Hit Parade of 1941 (M) 001 *Kenny Baker Frances Langford*	Laddie (O) 107 *Tim Holt V. Gilmore*	Night Train (D) 114 *M. Lockwood Rex Harrison*		Slightly Tempted (C) 50-24 *Hugh Herbert*	Dispatch from Reuters (D) *Ed. G. Robinson Edna Best*
Oct. 25	West of Abilene (O) Girls Under 21 (D)	Hullabaloo (C) 109 *Frank Morgan Billie Burke*		Christmas in July (C) 4007 World in Flames (D)	Young Bill Hickok (O) 052 *Roy Rogers*	They Knew What They Wanted (D) *C. Laughton Carole Lombard*	The Great Profile (C) 111 *John Barrymore*		Seven Sinners (D) *Marlene Dietrich John Wayne*	Tugboat Annie Sails Again (D) *M. Rambeau Alan Hale*
Nov. 1	Blondie Plays Cupid (C) *Penny Singleton Arthur Lake*	Escape (D) 108 *Norma Shearer Robert Taylor*		Dancing on a Dime (C) 4008 *Grace McDonald Robert Paige*	Who Killed Aunt Maggie (D) *John Hubbard Wendy Barrie*	Li'l Abner (C) 109 Too Many Girls (M)			I'm Nobody's Sweetheart (D) 5036 Island of Black Gold (D) 50-52	Always a Bride (C) *Rosemary Lane*
Nov. 8		Bitter Sweet (M) *J. MacDonald Nelson Eddy*	Chamber of Horrors (D) *Leslie Banks*	Arise My Love (D) 4009 *Claudette Colbert Ray Milland*	Friendly Neighbors (M) *Weaver Bros. and Elviry*	Little Men (D) 110 *Kay Francis Jack Oakie*	Mark of Zorro (D) 117 *Tyrone Power Linda Darnell*	Son of Monte Cristo (D) *Joan Bennett Louis Hayward*	Sandy Gets Her Man (C) *Baby Sandy Stuart Erwin*	East of the River (D) *John Garfield Brenda Marshall*
Nov. 15	Beyond the Sacramento (O) *Bill Elliott Evelyn Keyes*	Gallant Sons (D) *Jackie Cooper Bonita Granville*	Take Me Back to Oklahoma (O) *Tex Ritter*	Three Men from Texas (O) 4050 *William Boyd Russell Hayden*	Trail Blazers (O) *3 Mesquiteers* Melody Ranch (O)	Mexican Spitfire Out West (C) 111 *Lupe Velez*	Street of Memories (D) 102 *Lynne Roberts*		One Night in Tropics (M) *Nancy Kelly Alan Jones*	South of Suez (D) *George Brent Brenda Marshall*
Nov. 22	Escape to Glory (D) Lone Wolf Keeps a Date (D)	Little Nellie Kelly (M) *Judy Garland George Murphy*	Phantom of Chinatown (D) *Keye Luke*	North West Mounted Police (D) 3946 *Gary Cooper*	Texas Terrors (O) *Don "Red" Barry Julie Duncan*	You'll Find Out (M) 108 *Kay Kyser and Orchestra*	Youth Will Be Served (D) 119 *Jane Withers Jane Darwell*	Long Voyage Home (D) *John Wayne Thomas Mitchell*	Meet the Wildcat (D) 5023 *Ralph Ballamy*	The Letter (D) *Bette Davis Herbert Marshall*
Nov. 29	Ellery Queen, Master Detective (D) *Ralph Bellamy*	Comrade X (C) *Clark Gable Hedy Lamarr*	West of Pinto Basin (O) *Ray Corrigan Terhune & King*		Meet the Missus (C) *Higgins Family*	Kitty Foyle (D) 112 *Ginger Rogers*	Tin Pan Alley (M) 120 *Alice Faye Betty Grable*	Blackout (D) *Conrad Veidt Valorie Hobson*	The Bank Dick (C) *W. C. Fields Una Merkel*	Lady With Red Hair (D) *Miriam Hopkins Richard Ainley*
Dec. 6	Thundering Frontier (O) *Chas. Starrett Iris Meredith*	Go West (M) *Marx Brothers Diana Lewis*		Night at Earl Carroll's (C) *Ken Murray Lillian Cornell*	Border Legion (O) *Roy Rogers Gabby Hayes*		Charter Pilot (D) 118 *Lloyd Nolan Lynn Bari*		Margie (C) *Tom Brown Nan Grey*	
Dec. 13	Great Train Robbery (D) *Jack Holt Vickie Lester*	Dr. Kildare's Crisis (D) *Lew Ayres L. Barrymore*	East Side Kids (D) *Bobby Jordan Leo Gorcey*	Texas Rangers Ride Again (O) *John Howard Ellen Drew*	Barnyard Follies (C) *Mary Lee Rufe Davis*		Murder Over New York (D) 121 *Sidney Toler Ricardo Cortez*		Invisible Woman (C) *J. Barrymore Virginia Bruce*	
Dec. 20	Phantom Submarine (D) *Anita Louise Bruce Bennett*	Keeping Company (D) *John Shelton Ann Rutherford*	Her Father's Daughter (D) *Edith Fellows E. Evans*				Jennie (D) 122 *V. Gilmore William Henry*		Give Us Wings (D) *Little Tough*	

Here's the Long and Short of it
PLAY PARAMOUNT



October 18
Popeye the Sailor
'MY POP, MY POP'



October 25
Headliner
'LISTEN TO LARRY'
(Larry Clinton and Orch.)



October 25
Animated Antics Cartoon
'SNEAK, SNOOP AND SNITCH'



November 1
Color
POPULAR SCIENCE No. 2

Every Paramount Short is 100% BOX OFFICE TESTED!

Box Offices Feel Effects Of Air Talks

(*Continued from page* 1)

Roosevelt and Willkie both broadcast show a much bigger drop than those when Willkie is on alone.

Effects in various key centers are indicated in the following:

Grosses Hurt on Coast

HOLLYWOOD, Oct. 30.—Opinion here is mixed on the effect of campaign speeches on grosses. Generally, it is felt that the box-office has been hurt less here than in the earlier time zones but late speeches have taken their toll, particularly in the downtown first runs. Robert Poole, executive secretary of the Pacific Coast Conference of Independent Theatre Owners, said that patronage has been off as much as one-third in neighborhood houses when both candidates spoke but some exhibitors believe that this may have been due also to unseasonable weather. Fox West Coast executives studied grosses to determine what effect campaign broadcasts have had but were unable to come to any conclusion.

Little New Orleans Effect

NEW ORLEANS, Oct. 30.—Managers of leading theatres were unanimous today in declaring that campaign speeches had little effect on grosses. The opinion was expressed that ordinary political talks drew few patrons away but discussion of a major issue, especially if by President Roosevelt, may cause a great drop in attendance at theatres.

K. C. First Runs Off

KANSAS CITY, Oct. 30.—The combination of Roosevelt and Willkie on the radio has hurt first run houses but the effect has not been greater on neighborhood houses than that created in previous weeks of political campaigning, managers reported.

Buffalo Neighborhoods Hit

BUFFALO, Oct. 30.—Presidential campaigning has had little, if any, effect on downtown houses but there has been a pronounced downtrend at neighborhood and community theatres, a survey of the city revealed today.

Spokane Listens to President

SPOKANE, Oct. 30.—Attendance at Evergreen Theatres, comprising the four largest downtown houses, was down 25 per cent when President Roosevelt spoke, Al Baker, city manager, declared. Baker asserted that many patrons told him that they did not wish to miss the President's speech.

Early Programs Hit Cincinnati

CINCINNATI, Oct. 30.—Reports locally, as well as from the surrounding territory, show that broadcasts in the early evening on behalf of the presidential candidates have hurt business more than the speeches of the candidates themselves. This is true because the candidates speak at the later hours when business is beginning to thin out, it was said.

Baltimore Not Hurt

BALTIMORE, Oct. 30—Business here has not been touched by the campaign broadcasts, a survey revealed.

Frisco Takes Off 20%

SAN FRANCISCO, Oct. 30.—Local theatres report evening business off as much as 20 per cent when both Roosevelt and Willkie speak.

Seattle Not Affected

SEATTLE, Oct. 30.—Air appearances of Willkie and Roosevelt have had little effect on the box-office, it was reported here. It was pointed out that most of these speeches come between 6 and 8 P.M., before the night business starts.

Nizer Book on Speaking Gives Practical Guidance

Louis Nizer, film attorney and member of the law firm of Phillips, Nizer, Benjamin and Krim, is the author of a new book, titled "Thinking on Your Feet." It offers practical guidance to the practiced or tyro speaker, as well as interesting and entertaining anecdotes from the speaking experiences of the author.



Louis Nizer

Published by the Liveright Publishing Co., and priced at $2.50, the 312 - page book is sub-titled "Adventures in Speaking," and opens with a foreword by Bruce Barton. The volume is divided into three main sections: "Structure," "Introductions and Thought Drops" and "Addresses and Thought Drops."

The book, which has been well received as valuable and interesting in critical appraisal, contains Nizer's suggested methods of developing the structure of speeches. The readable character sketches included in the "Introductions" section of the book picture notable and varied personalities in many fields of activity. Among them are: Dorothy Thompson, Fiorello H. LaGuardia, Albert Einstein, Eddie Cantor, Harry Hershfield, Fannie Hurst, George Gershwin, Ferdinand Pecora, Max Reinhardt, Sara Delano Roosevelt, Alfred E. Smith, Carl Laemmle, S. L. "Roxy" Rothafel and many others. The addresses are examples of the speaker's art, and cover a wide range of subjects.

Managers Shifted By United Detroit

DETROIT, Oct. 30.—Recent changes in the manager staff of United Detroit theatres include the appointment of Robert Corbin, manager of the Michigan, to supervise downtown first run houses and the Madison. Joseph Busic has been appointed supervisor of the Fisher, which he recently managed, together with the Riviera, Annex, Regent, Norwest and Varsity. Asher Shaw will handle the Broadway Capitol, Vogue, Cinderella, Alger, Ramona, Rosedale and Birmingham.

Rufus Shepherd, manager of the Vogue, has been moved to manager of the Fisher; Frank Upton, from the Riviera, to the Palms State; Donald Dunne from the Ramona to the Riviera; Robert Salters from the Annex to the Ramona; Cassius Smith from the Norwest to the Annex; Seymour Gruber, assistant at the Ramona, to manager of the Norwest; Don Kuhn from the Palms State to the Broadway Capitol; Frank Perry, manager of the Regent, to the United Artists; Gil Green, manager of the Varsity, to the Regent; Grant Hawkins, assistant manager at the United Artists, will take Green's place at the Varsity; Leo Ward, assistant manager of the Birmingham, will take Joseph Bonino's place as manager of the Rosedale. Bonino takes over the Alger, while James Easson, who managed the Alger, goes to the Vogue.

French Film Dated

"Two Women," new French film, will have its premiere tomorrow at the 55th St. Playhouse.

Local Suits Hold Until N. Y. Windup

(*Continued from page* 1)

suit are due today but an extension of time in which to file the answers or make objections to the interrogatories will be granted by the Government. The extension will probably be for one month. If the New York suit decree has not been entered by then further extensions will be granted, as they will in the case of the Buffalo and Oklahoma City actions.

All three cases, in effect, will remain in a state of suspension until the decree's fate has been determined. If, for any reason, the decree is not made effective, prosecution of the actions would be resumed.

Meanwhile, considerable legal expense, time and effort is spared the consenting companies by holding the actions in abeyance in agreement with the Government.

Universal's 'Tropics' Opens in Paterson

(*Continued from page* 1)

Chest Fund and to a special charity for the rebuilding of the local Church of St. Anthony.

Mayor William Furrey had declared a half-holiday today, and busses brought Universal home office executives, and trade press, newspaper and fan magazine representatives from New York. A parade was followed by a banquet at the Alexander Hamilton Hotel, immediately preceding the showing. A stage show in connection with the opening of the film featured film, radio and stage personalities with the master of ceremonies duties shared by Costello, Milton Berle, Henry Youngman and J. C. Flippen.

Seek to Enjoin Union

MILWAUKEE, Oct. 30.—Lawrence and Carl Brown, William Moiles and Mrs. Irene Flagstad, operators of the Newsreel theatre here, have started Circuit Court action to restrain picketing by operators' Local 164. The partners contend they do all the work and no labor dispute exists.

Para. Partners May Not Fight U. S. Decree

(*Continued from page* 1)

forego active opposition to it in court, are expected to file a brief stating their objections.

In addition, individual Paramount operators may attend the Nov. 14 hearing as observers, but so far as can be learned neither R. B. Wilby, who represents the Paramount theatre associates in these matters, nor Fred Kent, who is acting as attorney for them, has planned any organized opposition. Moreover, it is believed unlikely that either of the two will address the court in opposition to the decree.

Government representatives stated yesterday that their application for leave to file an amended complaint against United Artists, Universal and Columbia will be made to Judge Goddard Nov. 14.

Allied to 'Police' Trade Practices

(*Continued from page* 1)

which, Allied claims, was to be delivered as "Personal History."

Kelly conferred privately tonight with Abram F. Myers, Allied general counsel; Martin G. Smith, president, and P. J. Wood, executive secretary, of the Ohio organization, and Samuelson, to further discuss the subject.

Speaking to the convention, Kelly detailed foreign losses and said England wants a continuation of American films as the British are unable to provide many of their own.

Myers reviewed the consent decree, expressing objection to many of its provisions, and said he would be in U. S. District Court in New York Nov. 14 to enter Allied's opposition.

Samuelson told the convention that there is a difference of 21 per cent in rentals where there is an Allied organization and non-Allied territory. He said there is a move under way to increase clearance over theatres which are exempt from the defense tax in favor of tax-paying houses.

About 150, exhibitors and others, are attending the meeting, which will close tomorrow. The convention banquet tonight honored Martin Smith on his long years of service to the cause of independent exhibitors. The meeting is at the Deshler-Wallick Hotel.

Decree 'Inadequate,' Asserts Dr. Wilbur

San Francisco, Oct. 30.—The Federal consent decree is inadequate to give local communities the right of film selection, today declared Dr. Ray Lyman Wilbur, president of the Motion Picture Research Council. Dr. Wilbur urged passage of the Neely bill to remedy the situation. The Research Council has been one of the chief backers of anti-block booking legislation in Congress.

Laurel-Hardy, 'Rockne' Loop Best, $38,000

CHICAGO, Oct. 30. — The second week of "Knute Rockne" at the Chicago with Laurel and Hardy on the stage grossed $38,000. The State-Lake, featuring J. Carroll Naish and Ramon Navarro with Columbia's "Lady In Question" grossed $18,500.

Estimated takings for week ending Oct. 25:

"Kit Carson" (U A)
APOLLO—(1,400) (35c-55c-75c) 7 days. Gross: $6,000. (Avenue: $6,500)

"Knute Rockne" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days, 2nd week. Stage: Laurel & Hardy. Gross: $38,000. (Average: $32,000)

"Dulcy" (M-G-M)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $5,500. (Average, $5,000)

"Money and the Woman" (W. B.)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Duke Ellington and Band. Gross: $13,000. (Average: $13,000)

"They Knew What They Wanted" (RKO)
"Margie" (Univ.)
PALACE—(2,500) (35c-40c-60c) 7 days, 2nd week. Gross: $12,000. (Average, $13,000)

"Down Argentine Way" (20th-Fox)
ROOSEVELT — (1,500) (25c-55c-75c) 7 days, 2nd week. Gross: $8,500. (Average, $11,000)

"Lady in Question" (Col.)
STATE-LAKE—(2,700) (25c-40c) 7 days. Stage: J. Carroll Naish-Ramon Navarro. Gross: $18,500. (Average, $15,000)

"Strike Up the Band" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 3rd week.. Gross: $8,000. (Average, $14,000)

"Gone With the Wind" (M-G-M)
WOODS—(1,100) (75c-$1.10-$1.50, 2 days, 39th week. Gross: $4,000.

Hollywood Review

"Seven Sinners"
(Universal)

Hollywood, Oct. 30.

MARLENE DIETRICH'S second picture since the renaissance of her screen career under the guidance of producer Joe Pasternak enshrouds her in the glamour of old as she plays the part of a South Seas cafe singer deported from colony after colony because men make trouble over her. "Seven Sinners," the title, refers to the name of the cafe in which most of the action takes place.

Throaty-voiced, Miss Dietrich sings and acts in much the same type of role that brought her fame in "The Blue Angel" and "Morocco." Her wiles cause intense jealousies among the love-starved men of the colonies, and her banishments from the colonies come with rapid succession on grounds of "inciting riots and questionable character." Love comes to the girl and a young ensign, but she, brought to the realization that marriage with her would ruin his promising Navy career, goes off to another colony.

The ensign is played by John Wayne with satisfying results. Broderick Crawford and Mischa Auer are seen as protectors of the singer, and with Billy Gilbert provide most of the comedy. Oscar Homolka does an outstanding role as the knife-wielding menace. Others in the cast are Albert Dekker, Anna Lee, Richard Carle, Samuel S. Hinds, Reginald Dneny, Vince Barnett.

The picture, directed by Tay Garnett from a screenplay by John Meehan and Harry Tugend and realistically backgrounded by art director Jack Otterson, is notable for several items. First, it contains probably the most exciting, sustaining brawl ever filmed and in which about two score men participate. Second, it shows a character (Crawford), used previously in the story for comedy and well established in the role of bodyguard of the singer, turn on the woman and brutally knock her down and beat her. Third, the story has the principal character, knowing that she is doing a noble thing by getting out of the life of the ensign, embarking on a continuation of her lurid career.

Running time, 86 minutes. "A."* VANCE KING

*"A denotes adult classification.

'Burma,' and Dorsey Band $31,000, L.A.

LOS ANGELES, Oct. 30. — "Moon Over Burma" scored a strong $31,000 at the Paramount, with Tommy Dorsey and his orchestra on the stage. "Down Argentine Way" and "Sky Murder" drew $13,500 at the Chinese and $17,500 at Loew's State.

Estimated takings for the week ending Oct. 23:

"Down Argentine Way" (20th-Fox)
"Sky Murder" (M-G-M)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $13,500. (Average, $12,500)

"Thief of Bagdad" (U. A.)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 5 days. Gross: $9,100. (Average, $17,000)

"Foreign Correspondent" (U. A.)
4-STAR—(900) (55c-75c) 7 days, 4th week. Gross: $5,300. (Average, $3,250).

"They Knew What They Wanted" (RKO)
"Mexican Spitfire Out West" (RKO)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $9,000. (Average, $6,500)

"Down Argentine Way" (20th-Fox)
"Sky Murder" (M-G-M)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $17,500. (Average, $14,000)

"They Knew What They Wanted" (RKO)
"Mexican Spitfire Out West" (RKO)
PANTAGES — (3,000) (33c-44c-55c-75c) 7 days. Gross: $10,500. (Average, $7,000)

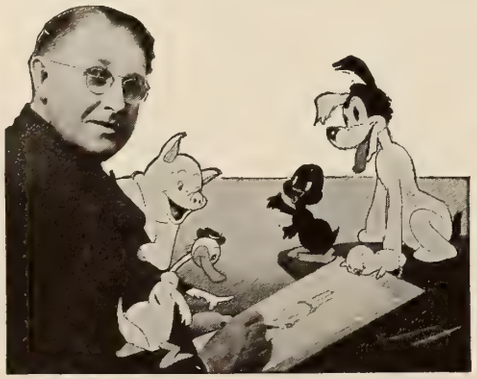
"Moon Over Burma" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: Tommy Dorsey and his orchestra. Gross: $30,000. (Average, $18,000)

"City for Conquest" (W. B.)
"Nobody's Sweetheart" (W. B.)
WARNER BROS. (HOLLYWOOD) — (3,000) (33c-44c-55c-75c) 7 days. Gross: $10,200. (Average, $14,000)

"City for Conquest" (W. B.)
"Nobody's Sweetheart" (W. B.)
WARNER BROS. (DOWNTOWN) — (3,400) (33c-44c-55c-75c) 7 days. Gross: $11,300. (Average, $12,000)

A ★ M ★ P ★ A

cordially invites all in the industry to attend our luncheon meeting in honor of the



25th Anniversary of

PAUL "TERRY-TOONS" TERRY *and His Pals*

Entertainment Surprises and Special Attraction

DESI ARNAZ *Star of Stage and Screen in "Too Many Girls"*

College Room—Hotel Edison

Today, October 31

Serving Starts 12:45 Sharp—Guests $1.25

'Ride,' Bowes Group $8,000, Kansas City

KANSAS CITY, Oct. 30.—Big money in a fair week went to "Ride, Tenderfoot, Ride," and Major Bowes Sixth Anniversary Revue at the Tower, where the combination did $8,000. "Down Argentine Way" took $2,500 at the Esquire and $2,900 at the Uptown in the second week.

Estimated takings for the week ending Oct. 22-24:

"Down Argentine Way" (20th-Fox)
ESQUIRE—(800) (28c-44c) 6 days, 2nd week. Gross: $2,500. (Average, 6 days, $1,800)

"Wyoming" (M-G-M)
"Haunted Honeymoon" (M-G-M)
MIDLAND—(4,000) (28c-44c) 7 days. Gross: $7,800. (Average, $9,500)

"Knute Rockne, All American (W. B.)
NEWMAN—(1,900) (28c-44c) 9 days, 2nd week. Gross: $5,800. (Average, 9 days, $8,500)

"Kit Carson" (U. A.)
"Queen of Destiny" (RKO)
ORPHEUM — (1,500) (28c-44c) 7 days. Gross: $5,000. (Average, $5,000)

"Ride, Tenderfoot, Ride" (Rep.)
TOWER—(2,200) (30c) 7 days. Stage: Major Bowes Sixth Anniversary Revue, featuring Sally Swing, Victor Paul, O'Brien & Goldberg, Bridgeport Four, Paul Jones, 3 Flashes, 4 Jersey Farmhands, Frances Gibby, Ann Bradley, and Sammy Birch. Gross: $8,000. (Average, $6,000)

"Down Argentine Way" (20th-Fox)
UPTOWN—(2,000) (28c-44c) 6 days, 2nd week. Gross: $2,900. (Average, 6 days, $2,500)

Deny Silverstein Plea

N. Y. Supreme Court Justice Church has denied the application of Harry Silverstein, stockholder, for the appointment of a receiver for French Cinema Center and French Film Import Co., headed by Andre R. Heymann.

'Faces' and Show $12,000, Milwaukee

MILWAUKEE, Oct. 30. — A show headed by Edmund Lowe, Ann Dvorak and Eddy Howard in person, with the film "Three Faces West," drew $12,000 at the Riverside. "Third Finger, Left Hand" and "Charlie Chan at the Wax Museum" grossed $9,300 at Fox's Wisconsin.

Estimated takings for the week ending Oct. 24:

"Moon Over Burma" (Para.)
"The Quarterback" (Para.)
PALACE — (2,400) (30c-40c-55c) 7 days. Gross: $5,800. (Average, $4,000)

"Three Faces West" (Rep.)
RIVERSIDE — (2,700) (28c-44c) 7 days. Stage: Edmund Lowe, Ann Dvorak, Eddy Howard. Gross: $12,000. (Average, $6,500)

"Down Argentine Way" (20th-Fox)
"I Want a Divorce" (Para.)
STRAND — (1,400) (30c-40c-55c) 7 days. Gross: $1,800. (Average, $1,500)

"The Westerner" (U. A.)
"Cross Country Romance" (RKO)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $5,000. (Average, $4,500)

"Third Finger, Left Hand" (M-G-M)
"Charlie Chan at the Wax Museum" (20th-Fox)
WISCONSIN—(3,200) (30c-40c-55c) 7 days. Gross: $9,300. (Average, $5,500)

F. P. Canadian Shifts

TORONTO, Oct. 30.—With the appointment of Jack V. Ward, veteran manager of the Capitol at Niagara Falls, Ont., as manager of the new Seneca in the same city, Famous Players Canadian has promoted Vincent O'Leary, formerly at Shea's in downtown Toronto, as the manager of the Capitol in the Border City.

'Rockne' Gets Good $22,000 Boston Gross

BOSTON, Oct. 30.—"Knute Rockne—All American" and "Calling All Husbands" scored $22,000 at the Metropolitan in a generally good week.

Estimated takings for the week ending Oct. 23:

"The Ape" (Mono.)
"Drums of the Desert" (Mono.)
KEITH BOSTON—(3,200) (25c-35c-40c-55c) 7 days. Mill Brothers, vaudeville on stage. Gross: $7,300. (Average, $8,000)
"They Knew What They Wanted" (RKO)
"The Great Profile" (20th-Fox)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $11,000. (Average, $16,000)
"Knute Rockne—All American" (W. B.)
"Calling All Husbands" (W. B.)
METROPOLITAN—(4,367) (25c-35c-40c-55c) 7 days. Gross: $22,000. (Average, $15,500)
"Dispatch from Reuters" (W. B.)
"The Villain Still Pursued Her" (RKO)
PARAMOUNT—(1797) (25c-35c-40c-55c) 7 days. Gross: $6,500. (Average, $7,500)
"Dispatch from Reuters" (W. B.)
"The Villain Still Pursued Her" (RKO)
FENWAY — (1,320) (25c-35c-40c-55c) 7 days. $4,000. (Average, $4,500)
"Brigham Young—Frontiersman" (20th-Fox)
"One Crowded Night" (RKO)
SCOLLAY—(2,500) (25c-44c-55c) 7 days. Gross: $3,000. (Average, $4,000)
"The Westerner" (U. A.)
"Glamour for Sale" (Col.)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $12,000. (Average, $12,000)
"The Westerner" (U. A.)
"Glamour for Sale" (Col.)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c 7 days. Gross: $17,000. (Average. $17,500)

'Parade' at $6,900 Gross in Montreal

MONTREAL, Oct. 30. — "Spring Parade" was good for $6,900 in its second week at the Palace. Third week of "Boom Town" at Loew's brought $6,200.

Estimated takings for the week ending Oct. 25:

"It's in the Air" (Brit.)
"The Golden Fleecing" (M-G-M)
CAPITOL — (2,547) (25c-40c-55c-65c) 7 days. Gross: $6,500. (Average, $8,000).
"Boom Town" (M-G-M)
LOEW'S—(2,800) (30c-40c-60c) 7 days. 3rd week. Gross: $6,200. (Average, $8,000)
"The Westerner" (U. A.)
ORPHEUM—(919) (25c-35c-50c) 7 days. 3rd week Gross: $3,000. (Average, $5,000)
"Spring Parade" (Univ.)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. 2nd week. Gross: $6,900. (Average, $9,000)
"I Married Adventure" (Col.)
"The Lone Wolf Meets a Lady" (Col.)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $4,000. (Average, $4,500)

'Westerner' Takes $7,600, New Haven

NEW HAVEN, Oct. 30.—"The Westerner" and "Argentine Nights" tallied $7,600 at the Roger Sherman. All other houses were slow.

Estimated takings for the week ending Oct. 25:

"Down Argentine Way" (20th-Fox)
"Sky Murder" (M-G-M)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,700. (Average, $2,700)
"Third Finger, Left Hand" (M-G-M)
"Glamor for Sale" (Col.)
LOEW-POLI — (3,040) (39c-50c) 7 days Gross: $7,500. (Average, $8,000)
"Moon Over Burma" (Para.)
"Pier 13" (20th-Fox)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $4,000. (Average, $4,000)
"The Westerner" (U. A.)
"Argentine Nights" (Univ.)
ROGER SHERMAN — (2,200) (39c-50c) 7 days. Gross: $7,600. (Average, $5,000)

Critics' Quotes . . .

"THE WORLD IN FLAMES" (Paramount)

A dramatic historical document . . . thrilling spectacle . . . a splendid job of assembling the film.—*Kate Cameron, New York Daily News.*

A grimly impressive and dramatic film survey of the historic highlights of the last decade . . . a document which admirably reviews the momentous events. . . . It retains an intelligent perspective.—*Bosley Crowther, New York Times.*

A film of historical importance . . . a vocal commentary holds the picture together and sustains interest . . . the film's real dynamite comes with the newsreel shots gathered in the past year . . . a workmanlike job.—*Lee Mortimer, New York Daily Mirror.*

"THIRD FINGER, LEFT HAND" (M-G-M)

You'll find the picture diverting audience entertainment. . . . It's Miss Loy's and Douglas' first teaming and they make a compatible coupling.—*Harry Mines, Los Angeles News.*

The comedy never quite descends to that apology for humor which goes by the name of "screwball farce," and is made that much more ingratiating thereby . . . will do nicely.—*Philip K. Scheuer, Los Angeles Times.*

It has its moments. . . . Miss Loy retains her fresh appeal and not only is she lovely to look at but she's a darn good trouper.—*Los Angeles Examiner.*

"I WANT A DIVORCE" (Paramount)

The incidental humor of this picture depends on whimsy of the most unabashed variety.—*Boston Herald.*

Amusing entertainment and a powerful argument against divorce . . . the fine acting of the principals helps to make the film a success.—*Boston Traveler.*

"THEY KNEW WHAT THEY WANTED" (RKO)

Has a freshness that belies its maturity and a vitality that should insure it a long life in the neighborhood theatres . . . beautifully written, acted and directed job.—*Peggy Doyle, Boston American.*

It's adult cinema fare, with an excellent screenplay, effective photography and settings, and expert performances.—*Boston Post.*

Worthy of the highest praise.—*Dorothy Guinan, Philadelphia Daily News.*

An effective and colorful screen drama. . . . Garson Kanin, director and Robert Ardrey, adaptor, have rounded the play into a smooth movie, enriched by some fine outdoor photography.—*Elsie Finn, Philadelphia Record.*

A finely acted and superbly directed motion picture . . . a mixture of hearty comedy and tense drama, but in spite of its gay and light-hearted moments, it is no entertainment for the very young.—*Kate Cameron, New York Daily News.*

A singularly honest and moving film . . . an excellent film. . . . It should give courage to other picture makers to handle themes honestly as well as artfully.—*Howard Barnes, New York Herald Tribune.*

"THE WESTERNER" (Goldwyn-U. A.)

It will take its place with a type of entertainment that has become the vogue in the past few years, certain of marked appeal in this special territory, and doubtless other parts of the Southwest.—*Edwin Schallert, Los Angeles Times.*

Mr. Goldwyn, who doesn't make very many pictures in the course of the year, has a winner in this one, and, better still, it looks to me like box-office, which is always good news.—*Louella O. Parsons, Los Angeles Examiner*

As exciting as tossing a lighted match at a string of firecrackers, and good fun, too . . . Gary Cooper and Walter Brennan, whose performances are so good that you would like to pat them on the back personally.—*Doris Arden, Chicago Daily Times.*

Good action stuff, helped greatly by Mr. Brennan's superb acting—*Norman Clark, Baltimore News-Post.*

"CITY FOR CONQUEST" (Warners)

It has an absorbing story to tell about unusual but believable people, and is told against a background of shifting patterns which give it unusual scope and meaning.—*Donald Kirkley, Baltimore Sun.*

Reaches out and up in an effort to be an intellectual, philosophic drama —and succeeds in being a rather vivid, effective melodrama.—*Norman Clark, Baltimore New Post.*

"DOWN ARGENTINE WAY" (20th-Fox)

It is colorful, it has good tunes and a great many pleasant people.—*Henry T. Murdock, Philadelphia Ledger.*

Achieves an air of informality rare to the screen . . . it moves along at an entertaining clip with plenty of time for singing, dancing and specialty numbers, all presented in such intimate style that the audience applauded several numbers.—*Elsie Finn, Philadelphia Record.*

A treat for the eye and ear . . . beautifully done in color.—*Boston Post.*

When interest languishes because the plot is out of that old trunk in the attic, it is apt to be suddenly revived by something photogenic which smites the eye with all the force of a bright and sparkling painting.—*Gilbert Kanour, Baltimore Evening Sun.*

Staged with a showmanship that should establish it as one of the new season's leading money-makers.—*Newsweek.*

'Parade' Hits Good $18,500, Philadelphia

PHILADELPHIA, Oct. 30. — Picture grosses held up fairly well in sipte of the heightened political activity. Favorable weather conditions helped. "Spring Parade" at the Fox took $18,500.

Estimated takings for the week ending Oct. 23-25:

"Angels Over Broadway" (Col.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 4 days, 2nd week. Gross: $5,700. (Average, $9,000)
"The Great McGinty" (Para.)
ARCADIA—(600) 35c-46c-57c) 5 days, 2nd run. Gross: $2,300. (Average, $2,600)
"They Knew What They Wanted" (RKO)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $14,400. (Average, $13,000)
"Gay Caballero" (20th-Fox)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including Jimmy Dorsey's orchestra, Buddy and Vilma Ebsen, and Roy Davis. Gross: $14,400. (Average, $14,000)
"Girl from Havana" (Rep.)
FAY'S — (2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville, including Sherry Britton, Betty Duval, Statler Twins, Artie Lewis and Peggy Ames, Paul Nolan, three Freshmen. Gross: $7,200. (Average, $6,900)
"Spring Parade" (Univ.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $18,500. (Average, $13,000)
"The Outsider" (Alliance)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days. Gross: $3,800. (Average, $3,000)
"Knute Rockne—All American" (W. B.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $5,800. (Average, $4,500)
"Down Argentine Way" (20th-Fox)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $10,300. (Average, $14,000)
"The Mummy's Hand" (Univ.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $4,900. (Average, $4,500)

'Rockne' Captures $17,000, Baltimore

BALTIMORE, Oct. 30. — "Knute Rockne—All American" took a strong $17,000 at the Stanley.

Estimated takings for the week ending Oct. 24:

"The Westerner" (U. A.)
CENTURY—(3,000) (15c-28c-44c) 7 days. Gross: $10,200. (Average, $10,000)
"Little Bit of Heaven" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $9,000. (Average, $9,000)
"Down Argentine Way" (20th-Fox)
NEW — (1,581) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $6,000. (Average, $7,000)
"Knute Rockne—All American" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $17,000. (Average, $12,000)
"They Knew What They Wanted" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. With stage show billed as "Variety Hit Parade" with Danny Kaye and Michael Loring. Gross: $15,000. (Average, $14,000)

'Spring Parade' at $8,200 Tops Omaha

OMAHA, Oct. 30.—"Spring Parade" pulled $8,200 at the Orpheum for the best of a slow week. The weather was clear and cool.

Estimated takings for the week ending Oct. 23-24:

"They Knew What They Wanted" (RKO)
"Ladies Must Live" (W. B.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $4,800. (Average, $4,000)
"Strike Up the Band" (M-G-M)
2 days, 2nd week.
"Knute Rockne—All American" (W. B.)
"River's End" (W. B.) 5 days.
OMAHA—(2,000) (30c-44c). Gross: $5,600. (Average, $6,000)
"Spring Parade" (Univ.)
"Money and the Woman" (W. B.)
ORPHEUM — (3,600) (30c-44c) 7 days. Gross: $8,200. (Average, $7,200)

Webs to Give Election Full Vote Coverage

(Continued from page 1)

sponsored shows. Wythe Williams, who is heard at 8 with a repeat at 10:30, will devote his entire program to election returns. The fact that WOR has sold the returns to Remington-Rand will compel Mutual to pick up most of its returns from WGN, Chicago.

WNEW, which has a policy of broadcasting nothing but straight news with all types of analysts and commentators banned, will stick to that policy Election Night and broadcast returns in figures only.

Will Use Special Wires

CBS and NBC will use the complete service of AP, UP and INS, and will have special wires to Republican and Democratic headquarters, as well as many other key points. Mutual will use AP and Transradio. All networks will go to stations in various parts of the country to pick up broadcasts of election returns in key cities. The entire staffs of special events, publicity and announcing departments will be on hand.

WOV will broadcast results from the city room of the Jersey *Journal*. WOR will feature an analysis of the returns rather than straight figures on the theory that percentages will be more intelligible to the average listener. WNEW has installed four extra AP teletype machines, in addition to its three regular printers, for local New York and New Jersey returns, national figures and color stories on the election. Each machine will be in charge of a separate editor, who in turn will have a separate announcer with a separate microphone to work with. One sponsor has been obtained for the results.

Broadcast to Britain

WMCA will feature regular periods every half hour on the quarter hour with analysis as well as tabulation. Albert Warner, CBS analyst, will go on the air at 11:30 P.M. and again at 4:48 A.M. for a broadcast to Britain. "America's Town Hall of the Air" program, which frequently features election issues, will hold open house election night with returns and skits burlesqueing the campaign.

KDKA, the major celebrant in the anniversary, will hold an all-night open house at its studios. The Pittsburgh *Post* supplied the first returns, and a similar tieup will be arranged with the paper, which is now the *Post-Gazette*. NBC service will be supplemented by reports from Pittsburgh campaign headquarters.

'Sarajevo' in Boston

"Mayerling To Sarajevo," sequel to "Mayerling," will be shown in Boston at the Fine Arts Theatre following the current run of "The Baker's Wife." Leo Films, Inc., is the distributor.

Take Missouri House

ST. LOUIS, Oct. 30.—The Frisina Amusement Co. has acquired the Liberty and the Rex in Mexico, Mo.

Off the Antenna

MUTUAL will endeavor to rank its music programs with those of other major networks beginning Friday, Nov. 8, when it will start a series of 13 weekly broadcasts of the Philadelphia Orchestra under the direction of Leopold Stokowski and Eugene Ormandy. The programs will be heard from 3:15-4:15 P.M. and will be a direct pickup of the second half of the orchestra's concerts. Fred Weber, Mutual general manager, expects more than 160 stations in this country, Canada and Hawaii to clear time to take the programs. It marks the first time since early in 1938 that the Philadelphia Orchestra will be heard on a regular series. Norris West, assistant manager of the orchestra, will do the commentary.

• • •

Purely Personal: *Bert Hall, who was appointed military analyst for WINS last week, will fulfill his previous commitment to act as guest on Maj. Paul C. Raborg's military analysis show over WHN tonight. . . . Bing Crosby returns to "Kraft Music Hall" over NBC-Red Nov.* 14. *. . . Jean Hersholt starts his fourth year as "Dr. Christian" over CBS Wednesday. . . . Bill Harding has been named assistant production manager at WINS. . . . Dr. Frank Conrad, who is said to be the first man to use the word, "broadcast" in connection with radio, will be guest on "Musical Americana" over NBC-Red Thursday. . . . Stan Shaw who conducts "Milkman's Matinee" over WNEW, is commuting daily between Baltimore and New York to visit his mother, who is seriously ill. . . . Raymond Paige has been named chairman on the award committee of the American Musical Arts Foundation. Other radio members are Lawrence Tibbett, Deems Taylor and Charles Wakefield Cadman. . . . Eddie Green will be guest on Col. Stoopnagle's "Quixie Doodle" show over CBS Sunday at 5:30 P.M. . . . Maj. Paschal N. Strong has been engaged to write scripts for the "Jack Armstrong" series.*

• • •

Remote band pickups, ordered discontinued by James C. Petrillo, American Federation of Musicians president, because two local stations had musician strikes on their hands, returned to CBS yesterday when WGBI, Scranton, and WADC, Akron, settled their disputes with the local unions.

• • •

Four new members have been signed by Broadcast Music, Inc., Carl Haverlin, station relations director, has announced. They include WGAC, Augusta; KXOK, St. Louis; WOW, Omaha; and WTIC, Hartford.

• • •

The new WEAF transmitter at Port Washington, L. I., which has been undergoing tests since September, will be put into use Friday, Nov. 8. Formal dedication ceremonies will take place that evening.

Drop Rensselaer Sunday Film Vote

ALBANY, Oct. 30.—The Sunday motion picture question is more confused than ever in Rensselaer, N. Y., as a result of a successful drive for withdrawal of the referendum from the voting machines. The Rensselaer County Board of Elections, on an appeal by Protestant clergymen, has received legal opinion from its attorney that the matter is contrary to the Home Rule Law.

Chief Swick, operator of the Uptown Theatre, contends in common with business-men proponents, that there is no ordinance in the city's laws to prevent Sunday pictures and plans a test case on the matter.

Fighting Sunday Films

PITTSBURGH, Oct. 30.—President Rev. H. H. Martin of the National Reform Association has launched a campaign to keep Sunday pictures out of Butler, county seat city. Five years ago Butler voters rejected Sunday films by a majority of two to one.

Stober Joins General

CHICAGO, Oct. 30.—W. C. Stober has been appointed branch manager here for General Register Co., manufacturer of ticket machines, by E. Bruce Johnson, president. Stober replaces D. H. Finke, resigned. Stober formerly was with National Theatre Supply Co.

FCC Approves Four New Stations

WASHINGTON, Oct. 30.—The Federal Communications Commission has granted construction permits for four new stations and approved increases in power for several currently operating broadcasting stations.

The construction permits were issued to the Brown County Broadcasting Co. for a 1,350-kilocycle, 500-watt station at Brownwood, Tex.; Capital Broadcasting Co. for a 1,420-kilocycle, 250-watt station at Washington, Maryland Broadcasting Co. for a 1,200-kilocycle, 250-watt station at Baltimore, and Nueces Broadcasting Co. for a 1,500-kilocycle, 250-watt station at Corpus Christi, Tex.

Increases in night power from 1,000 to 5,000 watts were granted Stations WALA, Mobile, Ala.; KOIL, Omaha, and WHIO, Dayton, and a similar increase in day power was granted WNBC, New Britain, Conn. Increases in night power from 100 to 250 watts were granted Stations KWFC, Hot Springs, Ark., and WKBO, Harrisburg, Pa.

The commission has received an application for a new 1,500-kilocycle, 250-watt station from the Natchez Broadcasting Co., Natchez, Miss., and a request for increase of night power from 1,000 to 5,000 watts from Station KCMO, Kansas City, Mo.

Porter FCC Counsel On Monopoly Probe

Washington, Oct. 30. — George B. Porter, former assistant general counsel of the FCC, has been retained by the commission to serve as special counsel during the monopoly hearings which are to open Dec. 2. The preliminary report was published last June.

Lewis Attacks KYA Refusal of Air Time

WASHINGTON, Oct. 30.—John L. Lewis, CIO president, today told the FCC that the refusal of KYA, San Francisco, to renew a contract for broadcasting time held by the CIO for the past two years has raised an issue "of paramount importance to labor."

In a letter to FCC Chairman James L. Fly, Lewis complained of the station's action but made no request or suggestion of the action which the commission might take.

However, he warned, the station's reason for rejecting the contract—that the program was controversial and as such contrary to the National Association of Broadcasters Code—"threatens to make radio communication inaccessible to organized labor for all practical purposes."

Dallas Variety Club New Year Party Set

DALLAS, Oct. 30.—R. J. O'Donnell, vice-president and general manager of Interstate Theatres of Texas, and chief barker of the local Variety Club, has completed plans for the New Year's Eve celebration at the Adolphus Hotel.

The affair has been designated as "An American Party," featuring dancing and entertainment. It will be presented under the personal direction of Pail Short, who handled entertainment for the Variety Club's national convention here last April. The Grand Ballroom of the hotel will be decorated in keeping with the theme of the party. The menu will feature strictly American foods. Variety Club groups from various parts of the Southwest are expected to attend.

Bickel Is Named to Coordination Post

WASHINGTON, Oct. 30.—Karl A. Bickel of Sarasota, Fla., chairman of the board of the Scripps-Howard Radio Co., has been named with Don Francisco, president of Lord and Thomas, to the staff of the Communications Committee of the Office for Coordination of Commercial and Cultural Relations Between the American Republics, it was announced by Nelson A. Rockefeller, coordinator.

The Communications Committee, on which John Hay Whitney and James W. Young will be in charge of film activities, will handle the film, radio and news phases of a program to improve relations among the countries of the Western Hemisphere.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 88 NEW YORK, U. S. A., FRIDAY, NOVEMBER 1, 1940 TEN CENTS

Frozen Cash Is Sought for British Films

Renewal Talks Continue On Expired Deal

LONDON, Oct. 31.—British producers are pressing for an extension of the principle in the British currency withdrawal agreement with American companies which permits American distributors' funds, frozen in this country, to be used for the acquisition of British films.

The agreement expires tonight, after one year of operation. As yet, no new agreement has been approved, although negotiations are in progress. A new contract is expected to be completed within two or three weeks.

It is believed in industry circles here that American companies are seeking an elasticity in the interpretation of such clauses as that permitting the use of frozen funds for British film acquisition, with a view to exploitation of the reciprocity sections of the expiring agreement.

Due to the inconclusive status of the new British currency agreement it is not believed likely that Ambas-

(*Continued on page 4*)

16 Circuits Raise Prices for 'Police'

Sixteen circuits controlling about 850 theatres will set advanced admissions for "North West Mounted Police," according to Neil F. Agnew, Paramount vice-president in charge of distribution.

Among the circuits are: Fox Wisconsin, Milwaukee; Fox West Coast, Los Angeles; J. H. Cooper Enterprises; Minnesota Amusement, Minneapolis; Fourth Avenue Amusement

(*Continued on page 4*)

B'way Expects Big Election Night Take

Despite the intense interest in the current political campaign, several Broadway first run managers are looking forward to good business on Election Night. It was pointed out that polls in many parts of the country will be kept open later this year

(*Continued on page 4*)

Committees Named For Coordination Of Defense Work

Designation of committees representing all divisions of the industry was completed yesterday to facilitate activities in cooperation with national defense agencies.

The committees will supplement the work of the main coordinating committee of which George J. Schaefer, RKO president, is chairman. The industry's national defense cooperative activities are sponsored by the presidents and chief executives in New York of the eight major companies.

Francis S. Harmon, assistant to Will H. Hays, has been designated coordinator for the industry, reporting to Schaefer's committee. Harmon already has established the necessary contacts with national defense agencies, and suggestions will be channeled through him. Members of Schaefer's committee are: Barney Balaban, Paramount president; Joseph H. Hazen, Warner home office executive; W. C. Michel, 20th Century-Fox executive

(*Continued on page 4*)

Odeon Year Profit Equals $1,893,924

LONDON, Oct. 31.—Odeon Theatres, Ltd., has reported profit for the year of £473,481 (approximately $1,893,-924). The profit compares with one of £509,990 (about $2,039,960) last year. No dividend was declared for the year on the common stock of the company.

The profit is considered unusual in view of the destruction of theatres in London and the sharp reduction of theatre business throughout the country generally as a result of the war. Despite continued air raids, British production is continuing in various studios near London. The majority of the films now in production are designed for the foreign market.

BUDGET $580,000 FOR ARBITRATION

Covers First Year's National Operations; Appeal Board Chairman to Get $25,000; New Rules Revision Is Underway

A budget of $580,000 has been set for the maintenance of the 32 regional arbitration boards and the national appeals board for their first year of operation, beginning Jan. 1, 1941.

Salaries of the three members of the national appeals board, who will be appointed by Federal Judge Henry Goddard, will be $25,000 annually for the chairman and $20,000 each for the other two members.

Further revision of the rules of arbitration was undertaken yesterday by members of the consenting companies' drafting committee, Government attorneys and representatives of the American Arbitration Association. The changes being made in the rules will not disturb the intent of any major phase of those presented to Judge Goddard on Tuesday, it was stated last night following a conference at the Bar Association Bldg.

The possibility of similar minor changes being made in the draft of the consent decree itself also was sug-

(*Continued on page 4*)

Decree Will Drive Out Independent, Max Cohen States

SYRACUSE, Oct. 31.—The New York case consent decree will drive the independent subsequent exhibitor out of business, Max A. Cohen, president of New York Allied, an M. P. T. O. A. affiliate, today told the members of the Central New York M.P.T.O. here.



Max A. Cohen

"If this decree doesn't give distributors a legal monopoly, then I don't know one," Cohen said.

Cohen revealed for the first time that national Allied directors voted eight to four for acceptance of the old Fair Trade Practice Code, in Chicago, more than a year ago, leaving for ratification only the arbitration provisions. Abram Myers and Col. H. A. Cole, Cohen averred, later "betrayed" the independent exhibitor

(*Continued on page 4*)

Para. 39-Week Net Seen at $4,100,000

Paramount's earnings for the 39 weeks of 1940 ended Sept. 30, are estimated by Wall Street sources at approximately $4,100,000, as compared with net of $2,840,000 for the corresponding period last year.

This estimate would indicate third quarter earnings of approximately $1,-000,000, compared with $710,000 for the corresponding 1939 quarter. The estimates are inclusive of undistributed earnings of theatre companies.

Martin Smith Again Head of Ohio I.T.O.

COLUMBUS, O., Oct. 31.—Martin G. Smith of Toledo was reelected president of the I.T.O. of Ohio at today's final session of the organization's two-day annual convention at the Deshler-Wallick Hotel here.

F. W. Huss, Jr., was reelected a vice-president, and Max Stearn was named to replace Robert C. Menches as the other vice-president. Hoy O.

(*Continued on page 4*)

Eastman to Return Defense Net Profit Above 10% to Government

Rochester, N. Y., Oct. 31.—Eastman Kodak Co. today pledged that it voluntarily will return to the Government all profits over 10 per cent on national defense orders.

According to the announcement, Eastman will pay income and excess profit taxes from the profit retained up to 10 per cent. The company's policy was stated in a letter Frank W. Lovejoy, president, wrote to Secretary of War Stimson at Washington.

"While the company is not assured of any profit under the present defense contract, it will nevertheless refund any profit it will make in excess of 10 per cent of the cost," the announcement said.

High Court Will Get Florida Ascap Case

Appeals from a Federal statutory court decision holding Florida's anti-Ascap law to be unconstitutional will be taken to the U. S. Supreme Court within the next few days by both Florida and Ascap.

The State will appeal from that part of the decision declaring the statute unconstitutional. Ascap, which had asserted its intention not to appeal unless the State did, will test portions of the decision which held that the State was within its rights in requiring Ascap to file records in Florida and pay a tax based on its licenses issued in the State.

The appeals will test the legality of a State's right to compel Ascap to issue licenses on a per piece basis. The Society's appeal is being prepared by Herman Finkelstein of Schwartz & Frohlich, Ascap counsel.

'Zorro' to Open in Cincinnati Tonight

CINCINNATI, Oct. 31.—"The Mark of Zorro," Twentieth Century-Fox film, starring Tyrone Power, will have its world premiere tomorrow night at the Shubert and Albee here. Power, Annabella, his wife, and Mrs. Patia Power, his mother, arrived here yesterday for a three-day celebration in conjunction with the opening.

Three radio programs will be broadcast. Other events will be a civic luncheon with Mayor Stewart as host, a costume ball tonight, a reception and a luncheon for visiting newspaper representatives and critics. The Hollywood visitors will make personal appearances at the two theatres tomorrow night.

Daigler Buys Into Hubenart Circuit

SEATTLE, Oct. 31.—Hal Daigler, former assistant to John Hamrick of Hamrick-Evergreen theatres, has purchased an interest in the Hubenart Circuit here.

He will act as supervisor of operations for the theatres in this circuit controlled by Ben F. Shearer, including houses in Alaskan cities, Bremerton and Everett, Washington. Plans for a new 900-seat theatre in Bremerton are now being prepared for Shearer

Lindy's INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

NICHOLAS M. SCHENCK, president of Loew's, arrived on the Coast yesterday for studio conferences.

•

W. F. RODGERS, M-G-M general sales manager, is expected back in New York early next week from Hollywood and San Francisco.

•

PAT CASEY, studios' labor representative, will remain in New York until after Election Day.

•

LEO SPITZ has returned from Chicago.

•

PAUL LAZARUS, JULES LEVEY, JAMES MULVEY, HAL HORNE and CHARLES STERN having lunch yesterday at Lindy's (51st St.).

•

BEN KALMENSON, Warners Southern and Western sales manager, returned yesterday from a visit to branches in Chicago, St. Louis and Atlanta.

•

G. L. CARRINGTON, vice-president and general manager of Altec Service, has returned from the Coast.

•

DR. HERBERT T. KALMUS is in town from the Coast.

ADOLPH ZUKOR will leave for the Coast at the end of next week.

•

CHARLES C. MOSKOWITZ, JOSEPH VOGEL, HARRY L. GOLD, RUBE JACKTER, LOU WEINBERG, and IRVING SHAPIRO having lunch yesterday at Lindy's (next to the Rivoli).

•

DAVID BERNSTEIN, J. J. UNGER, MARCUS HEIMAN, SAM SHAIN, OWEN DAVIS, GEORGE WELTNER, EARL CARROLL, ED SAUNDERS, LOU DREYFUS at Nick's Hunting Room in the Astor yesterday for lunch.

•

ALAN FREEDMAN, DOUGLAS ROTHACKER, I. E. LOPERT and WALTER FUTTER at the Tavern yesterday for lunch.

•

MAX SIEGEL, CHARLES SONIN, SIDNEY PHILLIPS, ADOLPH ZUKOR, BARNEY BALABAN, AL LEWIS, GUY BOLTON and JOHN GOLDEN lunching at Sardi's yesterday.

•

NICK CAVALIERE of New Haven is returning there this week after spending the Summer in the Arctic as cameraman with FATHER HUBBARD.

•

RONALD COLMAN has donated an ambulance to be sent to England.

Hoover Named Miami Manager by Lynch

MIAMI, Oct. 31.—Stephen A. Lynch, president of Paramount Enterprises here, has appointed George C. Hoover as city manager of the circuit's 15 theatres in Greater Miami.

Hoover formerly operated the Sheridan, ace house of the group, at Miami Beach.

Walker to Speak at Rally Here Monday

Postmaster General Frank C. Walker will be the principal speaker at the final luncheon rally of the Motion Picture Division of the Democratic National Committee in the North Ballroom of the Hotel Astor on Monday.

Last Minute Coast Flashes

Hollywood, Oct. 31

BUSINESS representatives of studio unions whose internationals are signatories to the studio labor basic agreement will meet tomorrow with Eldred Cocking of the Wages and Hours Administration for a discussion of the new interpretation of the act as it affects the studios. Frank Carothers, secretary of the internationals' basic agreement committee, called the session.

• •

Studios will hold individual mass meetings of workers Monday noon to open the Community Chest drive. A ten-minute radio program over local stations in which Paul Yost, Chest campaign chairman, and Louis B. Mayer, industry committee chairman, will participate, will be heard. A short, "Andy Hardy in Los Angeles, a Lesson in Mathematics and Other Things," featuring Mickey Rooney and Lewis Stone, will be shown.

• •

There will be a $5.50 top for the premiere of "The Great Dictator" at the Carthay Circle here Nov. 14. Top prices for the regular run following will be $1.65 nights and $1.10 matinees.

• •

Funeral services for George H. Seward, 67, television pioneer and founder and president of the Hollywood Television Society and the Television Engineers Institute of America, will be held here tomorrow. He died last night.

• •

Alex Evelove, with Warners' publicity department 11 years, the last five at the studio, has been appointed assistant to Robert Taplinger, studio publicity director.

Newsreel Parade

THE two major events before the nation—the presidential campaign and the draft lottery—feature the new issues. A mystery fire in the War Department in Washington is of current interest. The contents:

MOVIETONE NEWS, No. 16.—Draft lottery. Roosevelt and Willkie in campaign talks. Fire in the War Department. Lew Lehr. Football. Skiing in Australia.

NEWS OF THE DAY, No. 214.—Draft numbers picked. Willkie in Indianapolis; Roosevelt in New England. Snite family on vacation. Mystery blaze in Washington. Aftermath at the World's Fair. Football.

PARAMOUNT NEWS, No. 19.—Defense drill in Seattle. Fire in Washington War Department. Snite family leaves for Florida. Seattle merchant constructs bomb shelter. Campaign Managers Flynn and Martin each express optimism. Draft drawn in Washington; holders of the first number around the country. Football.

RKO PATHE NEWS, No. 19.—Draft lottery. Japan as new Axis member. War Department fire. Admiral Greenslade leaves for Panama. Football. Willkie in Baltimore; Roosevelt in Boston.

UNIVERSAL NEWSREEL, No. 924.—Draft lottery. Roosevelt and Willkie on campaign tours. Mystery fire in Washington. Rodeo in California. Dog "refugees" here. Defense drill in Seattle. Football.

Columbia Chiefs Off To Chicago Today

Abe Montague, general sales manager of Columbia, and Rube Jackter, assistant, will preside at a sales meeting of the company's mid-central and central divisions tomorrow and Sunday in Chicago at the Drake Hotel.

The home office executives, with Lou Weinberg, Louis Astor, Max Weisfeldt, Maurice Grad, George Josephs and Hank Kaufman, will leave here today. The sessions will be devoted to sales and promotion plans for "Arizona" and other forthcoming product. The divisions will be represented by Phil Dunas and Carl Shalit of the mid-central and central units, respectively. Sales representatives will be present from Chicago, Milwaukee, Minneapolis, Omaha, Des Moines, Detroit, Indianapolis, Kansas City and St. Louis.

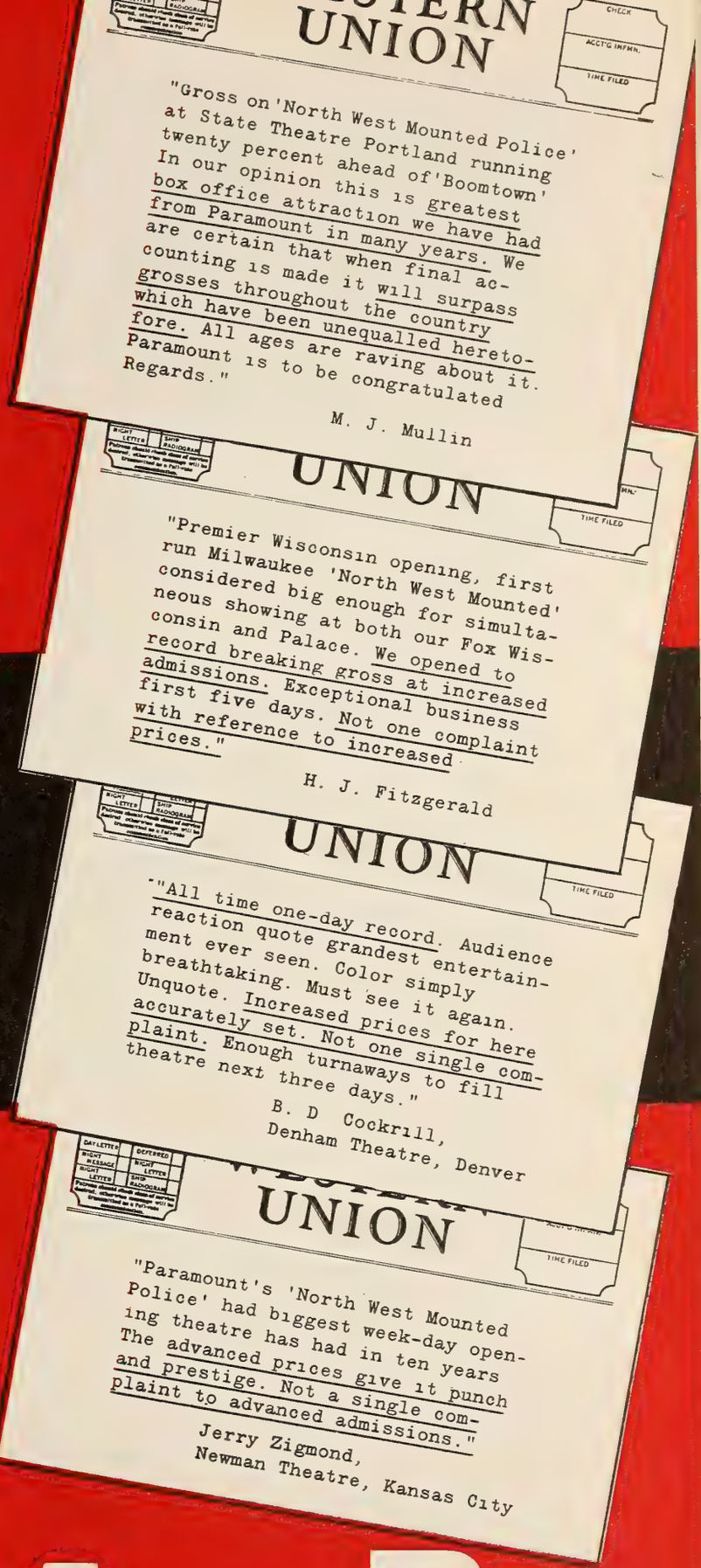
Republic Gets Story

HOLLYWOOD, Oct. 31.—Republic has purchased "Angel on Earth," an original by Hope Ross, for one of the forthcoming productions.

MOTION PICTURE DAILY
(*Registered U. S. Patent Office*)
Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

Take it from these Exhibitors

Dave Cockrill, Denham Theatre, Denver
Jerry Zigmond, Newman Theatre, Kansas City
A. J. Finke, Paramount Theatre, Portland, Ore.
M. J. Mullin, Station Theatre, Portland, Me.
John Balaban, Chicago Theatre, Chicago
Harry Katz, Palace Theatre, Youngstown, Ohio
Ed Reed, Strand Theatre, Providence
M. A. Lightman, New Malco Theatre, Memphis
H. J. Fitzgerald, Palace Theatre, Milwaukee
Bob O'Donnell, Metropolitan Theatre, Houston



it PAYS to PLAY Paramount's

"NORTH WEST MOUNTED POLICE"

AT ADVANCED PRICES!

Arbitration Budget Set At $580,000

(Continued from page 1)

gested. The need for changes which have been suggested probably will be decided at a meeting today.

The $580,000 budget for the first year's operations of the arbitration machinery will be subscribed by the five consenting companies, each to be assessed proportionately on the basis of its total domestic gross for the 1939-'40 season. These assessments either may be reduced proportionately or augmented by filing fees or penalties collected, depending upon the requirements of the boards.

Budgets for individual boards will be set by a budget committee to be designated later. The budget committee will consist of three members, one to be designated by the consenting companies, one by the American Arbitration Association and the third to be the chairman of the national appeals board.

Payments of costs of operation and maintenance of the boards will be made from budgetary funds by the A.A.A.

Decree Will Hurt Exhibitors: Cohen

(Continued from page 1)

by reversing this acceptance in the Summer of 1939.

The New York exhibitor leader and A. Charles Hayman, N. Y. State M.P.T.O. president, stated that the block-sale plan of the consent decree was known in the business 25 and 27 years ago and gave rise to the theatre circuits of today.

Sydney Grossman of Syracuse was elected regional vice-president to the State M.P.T.O. by the newly organized local group. He will represent the directorate including J. Meyer Schine, Ray Pashley, Jack Karp, Ray Merriman and Grossman. A director's place is reserved for Binghamton.

Hayman proposed that the State organization urge the M.P.T.O.A. to hold its annual convention with the State group at Rochester early in 1941. Sidney Pfeiffer, Buffalo attorney, said 200 theatre memberships are now in the Central division. About 20 exhibitors attended the meeting.

Moray on Tour

Norman H. Moray, Warner short subject sales manager, left yesterday for a trip to the company's exchanges and the studio. After visiting Chicago and Milwaukee, and the Northwestern cities, he is scheduled to arrive in Los Angeles Nov. 18. He will confer at the studio on next season's schedule.

Henie Suit Starts

Trial of the $92,000 breach of contract suit of Dennis R. Scanlan against Sonia Henie started yesterday before N. Y. Supreme Court Justice Aron Steuer. Scanlan claims the defendant breached a 1939 contract which employed him as agent at 15 per cent commission.

Defense Committees Named; Studios Ready for U. S. Work

(Continued from page 1)

vice-president; Nicholas M. Schenck, president of Loew's, and R. B. Wilby, head of the Wilby-Kincey Circuit.

Joseph Bernhard, head of Warner Theatres, is chairman of the special theatre committee, working in conjunction with the industry coordinating committee. Members are: A. H. Blank, Des Moines; Harry Brandt, Si Fabian, New York; John Harris, Pittsburgh; E. L. Kuykendall, Columbus, Miss.; C. C. Moskowitz, Loew's; J. J. O'Connor, RKO; R. J. O'Donnell, Dallas; E. V. Richards, New Orleans; Spyros Skouras, National Theatres; Nathan Yamins, Fall River, Mass., and Wilby.

The production committee, announced from Hollywood yesterday, is headed by Y. Frank Freeman, Paramount; the newsreel committee by E. B. Hatrick, News of the Day; short subjects committee by William Clark, RKO; distributors committee by William A. Scully, Universal, and theatre publicity committee by Oscar Doob, Loew's.

"It is to be emphasized," Schaefer said in a statement issued yesterday, "that the voluntary organization being developed by the industry is not in any way to limit the initiative, contribution or service which any element within it may apply to the problems of national defense. The intention is to provide a clearing house for such plans as may best serve our national needs, insofar as the screen is properly concerned."

Informed of the industry's purpose, Secretary of War Stimson praised the patriotic spirit which prompted the plan. Secretary of the Navy Knox declared he was delighted with the scheme to facilitate cooperation with the Government in connection with national defense, and Secretary of State Hull likewise voiced his Department's appreciation of the action taken by the industry.

Hollywood Awaits Army Films Start

HOLLYWOOD, Oct. 31.—Production facilities were made available to the Army today for a series of training films.

Y. Frank Freeman, chairman of the production defense coordinating committee, also today appointed Darryl F. Zanuck as chairman of a subcommittee to work with the Signal Corps. Serving with Zanuck will be Sam Briskin and Major Nathan Levinson.

Major Richard T. Schlosberg, head of the Signal Corps photographic division, who laid the groundwork here several months ago, is due next week to begin work on the films.

Gordon Mitchell, M. P. Academy Research Council manager, is conferring with War Department officials in Washington on the plans.

Hal B. Wallis has been added to the general coordinating committee.

B'way Expects Big Election Night Take

(Continued from page 1)

to accommodate the unusually large enrollment.

The polls will be open until 9 P.M. in New York as well as many other states, and because returns from the Midwest and Far West will come in late at night, this will probably mean that the returns will not become interesting until about 10 P.M. The managers expect that many persons, therefore, will attend the theatre during the early evening wait.

"The Westerner" with a stage show grossed an estimated $69,000 in a week at the Music Hall, and was followed yesterday by "Escape." The second week of "Down Argentine Way" with a stage show at the Roxy drew an estimated $36,500 and was held for two extra days, with "Mark of Zorro" opening there tomorrow. "Knute Rockne—All American" with Woody Herman's band on the stage at the Strand grossed an estimated $29,000 for the second week and will start its third week today.

16 Circuits Raise Price for 'Police'

(Continued from page 1)

Co., Louisville; Butterfield Theatres, Detroit; United Detroit Theatre Corp., Detroit; Evergreen State, Seattle; Fox Intermountain, Denver; M. & P., Boston; Wilmer and Vincent; Interstate Circuit, Dallas; Intermountain Theatres, Salt Lake City; Tri-State Theatres, Des Moines; Gibralter Enterprises, Denver, and Ralph Talbot Theatres, Tulsa.

20th-Fox 39-Week Loss Is $1,075,611

Twentieth Century-Fox Film Corp. yesterday reported net operating loss of $1,075,611 after all charges, including provision of $2,200,000 for reserve against foreign assets, for the 39 weeks ended Sept. 28, 1940. This compares with $3,152,595 for the first 39 weeks of 1939.

For the third quarter of this year, ended Sept. 28, the consolidated net operating loss, after all charges including provision of $1,400,000 for reserve against foreign assets, was $1,192,824, compared with second quarter loss of $236,163, and a profit of $827,069 for the third quarter of 1939.

No portion of the earnings of National Theatres Corp. is included in the profit and loss figures, since no dividends were declared by that corporation during the first 39 weeks of either year.

It was explained that the purpose of the special reserve against foreign assets was to exclude from current profits those earned in foreign currencies not currently realizable in United States dollars.

Patz in N.S.S. Post

DES MOINES, Oct. 31.—Louis Patz, formerly manager of the National Screen Service branch at Milwaukee, has come here to take over the management of the local office replacing L. C. Friedman, who is leaving soon to enter another business in California.

Frozen Cash Is Sought for British Films

(Continued from page 1)

sador Joseph P. Kennedy will meet with major company foreign department heads on the matter, as had been anticipated earlier. Kennedy is still active in the negotiations which are under way here and in London. When the negotiations have been concluded it is believed that he will advise Will H. Hays, M.P.P.D.A. president, who will report to the M.P.P.D.A. board and foreign managers.

Under the British monetary agreement which expired last night American companies were permitted to pay in full in blocked sterling for any British-made films acquired for distribution here. The negotiations now in progress pertain, in part, to the continuation of this arrangement and also to a possible increase in the amount of sterling which will be exportable under the new agreement.

As a result of the expiration of the old agreement, the American companies will be unable to withdraw any currency from Britain until the new agreement has been concluded.

Martin Smith Again Head of Ohio I.T.O.

(Continued from page 1)

Simons was reelected treasurer. P. J. Wood was retained as secretary.

New directors are: C. A. MacDonald, and Henry S. Flickinger, who replaces Stearn. Directors renamed are: Charles G. Deckman, Dwight Jones and J. W. Trunk. Smith was presented with a car at last night's banquet.

Today's session was routine and featured general discussions of the consent decree and other exhibitor and industry problems.

Among the executives here for the convention were: William B. Brennan, William Bien, Herman Leven, Harris Dudelson, Stanley C. Jacques, William Onie and J. E. Watson.

Trial of La Crosse Suit Starts in Wis.

MADISON, Wis., Oct. 31.—Federal District Judge Patrick T. Stone and a jury heard testimony today in the opening of the case brought here by the La Crosse Theatres Co. against Paramount, United Artists, Twentieth Century-Fox, Welworth Theatres Co., Minnesota Amusement Co., and E. R. Ruben of Minneapolis.

Damages requested by the plaintiff, operator of five La Crosse theatres, have been increased from $1,050,000 to $1,476,000. The complaint alleges that the defendants by "prior agreement" refused to renew contracts of the La Crosse Theatres Co., which has operated houses in La Crosse since 1919. Welworth opened two houses in La Crosse in 1936, it was testified. Defendants deny any conspiracy.



No, this is not an election crowd, it is just part of the eager customers (*with a long line outside*) waiting in the inner lobby of Radio City Music Hall all day yesterday to see M-G-M's sensational new hit.

ESCAPE

'Westerner' Frisco Best, Gets $13,000

SAN FRANCISCO, Oct. 31.—Grosses soared for first time since the fair closed, with "The Westerner" getting $13,000 at the United Artists. "Spring Parade" and "Glamour for Sale" drew $12,000 at the Orpheum in the second week

Estimated takings for the week ending Oct. 22-25:

"They Knew What They Wanted" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days, 2nd week. Stage: vaudeville. Gross: $13,200. (Average, $15,000)
"Cherokee Strip" (Para.)
"Third Finger, Left Hand" (M-G-M)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $17,000. (Average, $16,000)
"Glamour for Sale" (Col.)
"Spring Parade" (Univ.)
ORPHEUM—(2,240) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $12,000. (Average, $8,000)
"Down Argentine Way" (20th-Fox)
"Quarterback" (Para.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $13,500. (Average, $11,500)
"The Westerner" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $13,000. (Average, $8,000)
"Knute Rocke—All-American" (W. B.)
"Girl from Havana" (Rep.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $6,400. (Average, $6,000)
"Flowing Gold" (W. B.)
"Melody and Moonlight" (Rep.)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days. Gross: $11,500. (Average, $12,000)
"Song of the Road" (Select)
CLAY—(400) (15c-35c-45c) 7 days, 2nd week. Gross: $600. (Average, $1,000)

'Finger' Garners $14,000, St. Louis

ST. LOUIS, Oct. 31.—The first dual program at the Ambassador in more than two months brought $10,000. Loew's State with "Third Finger, Left Hand," grossed $14,000.

Estimated takings for the week ending Oct. 24:

"I Want a Divorce" (Para.)
"Down Argentine Way" (20th-Fox)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $10,000. (Average, $11,500)
"Rangers of Fortune" (Para.)
"Knute Rockne—All American" (W. B.)
FOX—(5,038) (28c-39c-44c-56c) 5 days. Gross: $7,000. (Average, 7 days, $11,000)
"Third Finger, Left Hand" (M-G-M)
"Captain Caution" (U. A.)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $14,000. (Average, $13,000)
"No Time for Comedy" (W. B.)
"Brigham Young, Frontiersman" (20th-Fox)
MISSOURI—(3,514) (28c-39c-44c-56c) 7 days. Gross: $5,500. (Average, $4,000)
"Cherokee Strip" (Para.)
"I'm Still Alive" (R-K-O)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $3,000. (Average, $2,600)

Ampa Marks Terry's 25th Anniversary

Paul Terry, producer of Terrytoon cartoons, was feted by the Ampa at its luncheon meeting yesterday at the Hotel Edison on his 25th anniversary in the industry. He was introduced by Gordon S. White and John C. Flinn. Other speakers were James S. Moran of Terrytoons and Desi Arnaz.

Leon Bamberger, Ampa president, announced that Edgar Kobak, NBC vice-president, will be the guest speaker at the Nov. 14 meeting and Jack Cohn, Columbia vice-president, will speak Nov. 27.

Plan Film Museum On Trocadero Site

Hollywood, Oct. 31.—The Academy of Motion Picture Arts and Sciences board of governors on Nov. 14 will consider a plan to turn the once-famous Trocadero into an Academy museum.

The project would be sponsored by the Academy in cooperation with the studios, various chambers of commerce and the Museum of Modern Art Film Library in New York. It would house exhibits depicting film production and would be open to the public at a small charge.

'Comedy' and Show $20,000 in Detroit

DETROIT, Oct. 31.—"No Time For Comedy" and a stage show headed by Ken Murray, Oswald and the Russ Morgan Band, grossed $20,000 at the Michigan. The Fox did $18,000 with "Down Argentine Way" and "So You Won't Talk."

Estimated takings for the week ending Oct. 24:

"They Knew What They Wanted" (RKO)
"The Great Profile" (20th-Fox)
ADAMS—(1,600) (15c-50c) 7 days. Gross: $4,800. (Average, $5,000)
"The Sea Hawk" (W. B.)
"Golden Fleecing" (M-G-M)
FISHER—(2,700) (15c-50c) 7 days. Gross: $6,800. (Average, $7,000)
"Down Argentine Way" (20th-Fox)
"So You Won't Talk" (Col.)
FOX—(5,000) (15c-55c-65c) 7 days. Gross: $18,000. (Average, $15,000)
"No Time for Comedy" (W. B.)
MICHIGAN—(4,000) (15c-55c-65c) 7 days. On stage—Ken Murray, Oswald, Russ Morgan and radio band and show Gross: $20,000. (Average, $12,000)
"Strike Up the Band" (M-G-M)
"Mystery Sea Raider" (Para.)
PALMS—(25c-39c-55c) 7 days. Gross: $8,000. (Average, $7,000)
"Third Finger Left Hand" (M-G-M)
"Dulcy" (M-G-M)
UNITED ARTISTS—(2,000) (20c-50c) 7 days. Gross: $9,000. (Average, $10,000)

'Band' Cleveland Gross Is $8,000

CLEVELAND, Oct. 31. — Political speeches seem to be providing box office competition here. "Strike Up the Band" in its second week at Loew's Stillman was the leader with $8,000 in a slow week.

Estimated takings for the week ending Oct. 24:

"Angels Over Broadway" (Col.) 4 days
"Fugitive from a Prison Camp" (Col.) 3 days
ALLEN—(3,000) (33c-39c-47c) 7 days. Gross: $2,000. (Average, $4,000)
"City for Conquest" (W. B.)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $8,500. (Average, $11,000)
"Blondie Has Servant Trouble" (Col.)
"Pier 13" (20th-Fox)
LAKE—(900) (28c-40c) 7 days. Gross: $1,000. (Average, $1,500)
"Hired Wife" (Univ.)
RKO PALACE — (3,100) (33c-47c-55c) stage show, 7 days. Gross: $12,500. (Average, $13,500)
"Wyoming" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $9,500. (Average, $11,000)
"Strike Up the Band" (M-G-M)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days, 2nd week. Gross: $8,000. (Average, $4,000)

Technicolor Dividend

Directors of Technicolor, Inc., yesterday declared a dividend of 25 cents a share, payable Nov. 15 to stockholders of record Nov. 7. On June 15 the company declared 50 cents.

Providence Gives $8,200 to 'Wanted'

PROVIDENCE, Oct. 31.—The RKO Albee, showing "They Knew What They Wanted" and "Pop Always Pays," garnered $8,200. The Strand, with "Moon Over Burma" and "The World in Fames," took $6,400.

Estimated takings for the week ending Oct. 23-24:

"They Knew What They Wanted" (RKO)
"Pop Always Pays" (RKO)
RKO ALBEE—(2,239) (28c-49c-50c) 7 days. Gross: $8,200. (Average, $6,000)
"Wyoming" (M-G-M)
"Five Little Peppers in Trouble" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $9,800. (Gross, $11,000)
"Knute Rockne—All American" (W. B.)
"Pier 13" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days, 2nd week. Gross: $7,000. (Average, $7,000)
"Moon Over Burma" (Para.)
"World in Flames" (Para.)
STRAND—(2,200) (28c-39c-50c) 7 days, Gross: $6,400. (Average, $6,000)
"Third Finger, Left Hand" (M-G-M)
"Glamour For Sale" (Col.)
CARLTON—(1,560) (28c-39c-50c) 7 days Gross: $2,100. (Average, $3,500)
"Queen of Destiny" (RKO)
METROPOLITAN—(3,045) (28c-39c-55c-75c) 3 days. Stage show, "Funzafire." Gross: $3,800. (Average, $7,500)
"Under Texas Skies" (Rep.)
"Night Train" (20th-Fox)
FAY'S—(1,800) (15c-28c-39c) 7 days. Gross: $2,500. (Average, $2,500)
"Boom Town" (M-G-M)
"Love, Honor and Oh Baby" (Univ.) (3 days)
"Rhythm on the River" (Para.) (4 days)
"The Man Who Talked Too Much" (W. B.) (4 days)
EMPIRE—(2,200) (20c-28c) 2nd run. Gross: $1,800. (Average, $1,700)

'Dulcy,' Glen Gray $18,500 in Buffalo

BUFFALO, Oct. 31.—"Dulcy," aided by Glen Gray and his orchestra and The Four Ink Spots on the stage, gave the Buffalo $18,500. "Melody and Moonlight" and a stage show with Hollywood stars at the Twentieth Century made $15,800.

Estimated takings for the week ending Oct. 26:

"Dulcy" (M-G-M)
BUFFALO—(3,489) (35c-40c-60c) 7 days. Glen Gray and Casa Loma Orchestra on stage, with the Four Ink Spots, Lorraine and Rognan and Betty Bruce. Gross: $18,500. (Average, $12,000)
"City for Conquest" (W. B.)
"Haunted Honeymoon" (M-G-M)
GREAT LAKES—(3,000) (35c-55c) 7 days. Gross: $9,400. (Average, $7,500)
"Knute Rockne—All American" (W. B.)
"Down Argentine Way" (20th-Fox)
HIPPODROME—(2,100) (35c-50c) 7 days, 2nd run. Gross: $8,500. (Average, $6,800)
"Melody and Moonlight" (Rep.)
TWENTIETH CENTURY—(3,000) (30c-35c-44c) 7 days. Stage show with George Jessel, Lois Andrews, Rochelle Hudson, Jean Parker, Isabel Jewell, Lya Lys, Betty Jane Cooper, Jean Gary and Mario Silva. Gross: $15,800. (Average, $7,500)
"Spring Parade" (Univ.)
"The Leatherpushers" (Univ.)
LAFAYETTE—(3,000) (30c-40c) 7 days, 2nd week. Gross: $5,400. (Average, $6,300)

K. C. Ball Committees

KANSAS CITY, Oct. 31.—Earl Jameson, general chairman of the Movie Ball which will be held at Pla-Mor here Nov. 22, has named the following committees: Publicity—Jay Means, Arthur Cole, R. R. Biechele, Jack Moffitt, Landon Laird, Lowell Lawrence, W. P. Bernfield, and Senn Lawler. Advertising—George Baker, Don Davis, Lee Jones, J. W. McConnell, and Jack Stewart. Program—Homer Blackwell, Jack Gregory, H. J. Griffith, Finton Jones, and Leo Finkelstein. Decorations—Ward Scott and the Cinema Club. Table Reservations—T. R. Thompson, Leon Abraham and James Lewis.

'Howards' Is Seattle High With $7,200

SEATTLE, Oct. 31.—"The Howards of Virginia" tallied $7,200 at the Liberty. "City for Conquest" at the Orpheum took $7,500.

Estimated takings for the week ending Oct. 25:

"Down Argentine Way" (20th-Fox)
"The Great Profile" (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $6,700. (Average, $7,000)
"The Howards of Virginia" (U. A.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days. Gross: $7,200. (Average, $5,000)
"Strike Up the Band" (M-G-M)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 4th week. Gross: $2,900. (Average, $4,000)
"City for Conquest" (W. B.)
"Slightly Tempted" (W. B.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $7,500. (Average, $6,000)
"River's End" (W. B.)
"Money and the Woman" (W. B.)
PALOMAR—(1,500) (30c-40c-50c) 7 days. Vaudeville headed by Sid Page. Gross: $5,000. (Average, $5,000)
"Moon Over Burma" (Para.)
"Sky Murder" (M-G-M)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. Gross: $5,800. (Average, $6,000)

'Rockne' Captures $12,300, Cincinnati

CINCINNATI Oct. 31. — "Knute Rockne — All American" garnered $12,300 at the RKO Palace.

Estimated takings for the week ending Oct. 25:

"Rhythm on the River" (Para.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $11,000. (Average, $12,000)
"Knute Rockne—All American" (W. B.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $12,300. (Average, $10,000)
"Down Argentine Way" (20th-Fox)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days. Gross: $3,400. (Average, $5,000)
"Third Finger, Left Hand" (M-G-M)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $4,700. (Average, $5,500)
"Strike Up the Band" (M-G-M)
RKO GRAND—(1,450) (33c-40c-50c) 7 days, 3rd week Gross: $5,400.
"A Little Bit of Heaven" (Univ.)
RKO LYRIC — (1,400) (28c-33c-42c) 7 days. Gross: $2,600. (Average, $4,500)
"Man from Monterey" (W. B.)
"Sailor's Lady" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,200. (Average, $1,200)
"Military Academy" (Col.)
"Gay Caballero" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)

'Argentine' Scores $10,500, Pittsburgh

PITTSBURGH, Oct. 31. — The Alvin took $10,500 with "Down Argentine Way," and Loew's Penn drew $13,000.

Estimated takings for week ending Oct. 24:

"Down Argentine Way" (20th-Fox)
ALVIN — (1,800) (28c-39c-55c) 7 days. Gross: $10,500. (Average, $7,000)
"Pastor Hall" (U. A.)
FULTON—(1,700) (28c-44c) 7 days, 2nd week. Gross: $3,200. (Average, $4,500)
"They Knew What They Wanted" (RKO)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $13,000. (Average, $13,000)
"City for Conquest" (W.B.)
RITZ—(800) (28c-39c-55c) 7 days, 3rd week. Gross: $2,800. (Average, $3,500)
"Hired Wife" (Univ.)
SENATOR—(1,700) (28c-39c-55c) 7 days, 3rd week. Gross: $1,800. (Average, $2,500)
"Knute Rockne—All American" (W. B.)
STANLEY—(3,600) (28c-39c-55c) 7 days, 2nd week. Gross: $11,000. (Average, $13,000)
"Haunted Honeymoon" (M-G-M)
"Comin' Round the Mountain" (Para.)
WARNER—(2,000) (28c-44c) 7 days. Gross: $4,400. (Average, $5,000).

BACK UP YOUR INDUSTRY'S PLEDGE OF 100% SUPPORT

ANNUAL MEMBERSHIP DRIVE

ROLL CALL STARTS NOV. 11





Co-operate with your local chapter of the

AMERICAN RED CROSS

FCC Grants Commercial FM Permits

WASHINGTON, Oct. 31.—The first of the long-awaited licenses for commercial operation of frequency modulation stations were granted by the FCC today to 15 stations in various parts of the country. In New York City, NBC, WHN and William Finch were granted the right to operate commercial FM stations. Frequency Broadcasting Corp. was granted a license for Brooklyn. Commercialization goes into effect Jan. 1.

The FCC is expected to act rapidly on other pending applications in order to make possible early commercialization of the new medium. The licenses issued today included construction permits for new stations or for the expansion of existing facilities. The FCC disposed of slightly less than one-third of pending applications today.

Others granted outside New York City included Evening News Association, Detroit; Don Lee, Los Angeles; Baton Rouge Broadcasting Co., Baton Rouge, La.; Radio Service Corp. of Utah, Salt Lake City; Zenith Radio, Chicago; Yankee Network, Mt. Washington N. H.; Journal Co., Milwaukee; Evansville on the Air, Inc., Evansville, Ind.; Howitt-Wood Radio Co., Inc., Binghamton, N. Y.; WBNS, Inc., Columbus, O.; Capitol Broadcasting Co., Inc., Schenectady.

May Reopen N. H. Union Agreement

NEW HAVEN, Oct. 31.—Exchange employes are considering reopening negotiations on their current contracts, signed for a two-year period last November, with the option of reopening after the first year. No increases were granted in the 1939 contracts. A meeting will be called locally by President Samuel Zipkin and Business Agent Robert Hoffman.

Fight Daylight Time

SAN FRANCISCO, Oct. 31.—The Independent Theatre Owners here are fighting the attempt to bring Daylight Saving Time to the Pacific Coast. The issue comes up for a vote Nov. 5 and theatres in this area are showing shorts ridiculing the plan.

F.C.C. Cannot Act On C.I.O. Protest

Washington, Oct. 31.—Federal Communications Commission officials said today they are without authority to take any action on the protest filed yesterday by John L. Lewis against the refusal of KYA, San Francisco, to renew its contract with the C.I.O.

It was pointed out that broadcasting stations are not common carriers and are under no compulsion to sell time, and the commission has no power to interfere with the contractual relations between broadcasters and purchasers of time.

Off the Antenna

RADIO stars who were well known before the first network came into existence will be featured next Friday at 8:30 P.M. in a half-hour dedication program for the new WEAF transmitter. Niles Trammell, NBC president, will pay tribute to the old timers who include Graham McNamee, Harold Sanford, Harry Horlick, the Silver Masked Tenor, Goldy & Dusty, May Singhi Breen, Pete de Rose and the NBC Light Opera Company.

Engineers, too, will share in the glory when they make a rare radio appearance. When the transmitter is switched on at 8:45, master control at Radio City will speak to engineer staff at the present Bellmore, L. I., transmitter and then to the engineers at the new one in Port Washington, L. I. The latest is the fourth transmitter for the station since its founding in 1922.

• • •

Purely Personal: *Norman Corwin, CBS director, yesterday addressed the Radio Workshop of Harvard University . . . Francia White's contract has been renewed on "Telephone Hour" over NBC-Red . . . Major Bowes has donated his* 81 *foot yacht* Edmar *and an auxiliary cabin cruiser,* Edmar, Jr., *to the U. S. Navy . . . Minnie Dupree, a silent film star, has been signed for "Aunt Jenny's Real Life Stories" over CBS, Mondays through Fridays at* 11:45 *A.M.*

• • •

"Newsroom of the Air," the nightly NBC European news roundup at 7:15 P.M., acquired its first sponsor Wednesday night—Remington Rand Co. which is using the time on behalf of its electric shavers. Does the sponsor know that John W. Vandercook, who conducts the show, wears a fine, full-sized beard?

• • •

Kay Kyser, whose "College of Musical Knowledge" program will be one of those seriously affected by the elimination of all Ascap music after Jan. 1, experimented with BMI and other non-Ascap songs the other night. Finding that the program had been cancelled because of political talks, Kyser quizzed his studio audience which was on hand anyway, using non-Ascap songs exclusively.

• • •

United Artists *last night flew to the defense of "The Great Dictator" after a broadcast by William L. Shirer, CBS Berlin correspondent, which reported a German radio claim that the Chaplin film was playing to "half-empty houses." U.A. respectfully requested a correction from Propaganda Minister Doktor Goebbels.*

• • •

The FCC will hold a conference Nov. 29 for assignment of frequencies for the exclusive use of electro-medical apparatus. It is hoped that the assignment of exclusive frequencies will not only eliminate interference with radio and television but also will promote the use of the medical machines.

Theatre Changes

Brandt Handles Bookings

Buying and booking for seven theatres of the Harry Doniger and Jayem circuits in New Jersey are now being handled by the Harry Brandt office. They are the Colony, Union City; Embassy, Bayonne; Grant Lee, Palisades; Savoy, Woodcliffe, and the Mayfair, Rialto and Rivoli, West New York.

Takes New Jersey House

The Robane Corp. is the new operator of the Highbridge, Highbridge, N. J. George W. Leonard is president of the company.

Herbert Takes House Here

The Amsterdam Amusement Co., of which Mack S. Herbert is president, is the new operator of the Iris, 1763 Amsterdam Ave., Manhattan.

To Remodel K. C. Newman

KANSAS CITY, Oct. 31.—Paramount shortly will begin remodeling of the Newman, which has been substantially unchanged since its erection in 1918. Changes planned include a new marquee and upright, enlarging the inner lobby.

Manages N. C. Houses

CHARLOTTE N. C., Oct. 31.—Sandy Jordan, former manager of the Broadway here, is now managing two theatres in Lexington, N. C.

Build Ontario House

TORONTO, Oct. 31.—A larger theatre has been built in Collingwood, Ont., by the Allen circuit to replace the Royal, a 250-seat house which has been in operation for years. The new Royal will have 850 seats and will be built at a cost of $75,000. Jack Wellard, formerly of Toronto, is the manager.

Open St. Louis Theatre

ST. LOUIS, Oct. 31.—The Dakota, South St. Louis neighborhood house in the circuit owned by Fred Wehrenberg and Clarence Kaimann, has reopened after being closed for most of the Summer.

New Libson House Opened

CINCINNATI, Oct. 31. — The new 700-seat Times, built by Isaac Libson and associates on the downtown site of the old Cincinnati *Times-Star* building, has opened. Policy is subsequent run on a grind basis, with three changes a week at a 20 and 30-cent scale for matinee and night, respectively. R. J. Libson will be general manager, and Robert Kinsley, now assistant at Keith's, will be manager of the house.

Open Birmingham House

BIRMINGHAM, Ala., Oct. 31.—The Jefferson Theatre will open soon under the direction of Ted Barker, following remodeling.

FCC to Confer On Standards Of Television

WASHINGTON, Oct. 31.—The FCC today arranged for a conference with the National Television Systems Committee early in January to review the progress made on the determination of standards for television, but cautioned that it would not at that time call for recommendations as to whether standards should be fixed.

It was stressed that the meeting will not be in the nature of a hearing but at the same time, the commission announcement stated that the meeting would be open to the public.

All Companies Included

The NTSC was organized early this Fall to study standards for television and make recommendations for the fixing of standards. It is composed of members from all companies interested in the new medium. W. R. G. Baker, chairman, has stated frequently that the committee would seek to make all its findings before Jan. 1. The FCC has been cooperating with the committee from time to time.

Fixing of standards is regarded by the FCC as a necessary preliminary step to the granting of licenses for commercial operation of television stations.

FCC Hearing Nov. 7 On 3 Applications

WASHINGTON, Oct. 31.—The Federal Communications Commission will hold a hearing Nov. 7 on three applications for new broadcasting stations at Riverside, Cal.

The applications were filed by the Broadcasting Corp. of America, seeking a 1,390-kilocycle, 1,000-watt station; Mollin Investment Co., asking a 1,390-kilocycle, 500-watt, daytime station, and Riverside Broadcasting Co., planning a 1,420-kilocycle, 250-watt station.

Also on Nov. 7, the commission has scheduled oral argument on the applications of J. D. Falvey for a new 1,210-kilocycle, 100-watt station at Ottumwa, Iowa, and the L. & M. Broadcasting Co. for a station in the same city and on the same frequency, but with 100 watts night, 250 watts day.

Crosley Reports Loss

CINCINNATI, Oct. 31.—The Crosley Corp., operator of WLW, WSAI and international short wave station WLWO and manufacturer of receivers and other electrical apparatus, reported a net loss of $509,910 for the first nine months of this year as compared with a net profit of $153,376 for the same period last year.

Appeal RKO Allowance

Appeal to the U. S. Circuit Court of Appeals from a decision of Federal Judge William Bondy which disallowed an application for $15,000 allowances in the RKO reorganization proceedings was filed yesterday in the U. S. District Court by Kommel and Rosenberg, attorneys for H. Cassel and Co.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 89 NEW YORK, U.S.A., MONDAY, NOVEMBER 4, 1940 TEN CENTS

Equity Sets Sunday Show Start Today

Approved After 20 Years As Major Issue

Actors Equity council will meet today to set a starting date for Sunday shows in Broadway legitimate houses for an experimental period to end June 1. After 20 years as a major issue, a tabulation of a nationwide referendum Friday showed overwhelming approval for Sunday performances by Equity and Chorus Equity members.

Equity endorsed Sunday shows at the regular rate of pay, instead of double, by a majority of 5½ to one, with 610 voting in the affirmative, 116 negative, and 58 ballots invalid. Chorus Equity gave Sunday shows a two-to-one majority, with almost all the voting coming from New York and most of the opposition from employed members. The junior membership of Equity, consisting of those whose professional careers have not been sufficiently long to give them

(*Continued on page* 4)

Retain Proskauer In Goldwyn Action

Joseph M. Proskauer has been retained by United Artists as special counsel for the Samuel Goldwyn breach of contract action against the company. O'Brien, Driscoll & Raftery and Schwartz & Frohlich, regular counsel for United Artists, continue as associate counsel in the case.

United Artists will move for dismissal of the Goldwyn action in the

(*Continued on page* 4)

Publicity Staffs Listed with NLRB

The Screen Publicists Guild on Saturday filed with the N.L.R.B. names of advertising and publicity employes in seven major companies home offices, preparatory to seeking to be declared the bargaining agency. Similar lists will be filed by the companies, then conferences will be held to determine the type of employes to be included in each bargaining unit. Affected are Columbia, Warners, Paramount, United Artists, RKO, M-G-M and 20th Century-Fox.

Sears Calls Meet To Discuss Decree

Sales executives of the five major companies which are parties to the decree are beginning to discuss with their staffs changes in distribution which will be required under the new rules. Gradwell L. Sears, Warners' general sales manager, has called a meeting of district managers and others to be held at the home office, this week, at which the matter will be taken up. Informal discussions have been held by all executives.

Democratic Motion Picture Rally Today

Postmaster General Frank C. Walker, Gov. Herbert H. Lehman and Dorothy Thompson, *Herald Tribune* columnist, will be the principal speakers at a luncheon rally of the Motion Picture Division of the Democratic National Committee at the Hotel Astor today. The demand for tickets has been so great that the committee had to take over the grand ballroom for the function, it was announced.

COMPANIES' SUIT COST $2,500,000

Changes Made In Text of Decree And Arbitration

THE following addition, pertaining to the rules of arbitration, has been made to the decree. It is an addition to the rider, following the first paragraph of Subdivision 7, Section XXII, Page 47:

"If any member of the Appeal Board is disqualified from passing upon any appeal, or is temporarily unable, because of illness, absence or other cause, to act as a member of the Appeal Board, the Court may on application of one or more members of the Appeal Board appoint another person of known impartiality and distinction to act as a temporary member of the Appeal Board in place of

(*Continued on page* 4)

Changes in Arbitration Rules Completed; Await Washington Approval

The cost to the eight major companies of the Government anti-trust suits filed against them from June 20, 1938, to date is estimated by industry attorneys at more than $2,500,000.

Meanwhile, changes in the rules of arbitration, supplementing the consent decree, which were undertaken last week by Government and defense attorneys and representatives of the American Arbitration Association, were completed on Friday and sent to Washington for approval. The rules are now said to be in final form.

The estimate of defense costs includes those for defending the Buffalo, Nashville and Oklahoma City actions, in addition to the New York suit and legal costs to the five consenting companies of participating in the negotiations and drafting of the consent decree.

It is generally conceded that attorneys' fees account for more than half of the estimated cost. Including the out-of-town counsel retained to defend the Buffalo, Nashville and Oklahoma City cases, more than 80 attorneys have worked on the case in preparatory, trial or decree negotiation capacities. Attorneys retained in the New York suit include some of the highest priced counsel in the world.

Large staffs of special legal and clerical aides were employed by most

(*Continued on page* 4)

Bernstein, Warner Again Head Federation Drive

David Bernstein, vice-president and treasurer of Loew's, Inc., and Maj. Albert Warner, vice-president and treasurer of Warner Bros. Pictures, Inc., this year again will head the fund raising campaign in the amusement division of the New York and Brooklyn Federations of Jewish Charities. Former Judge Joseph Proskauer, chief of the general drive of the Federation, made this announcement Friday at an organization meeting of the amusement committee at the Hotel Astor. About 65 attended.



David Bernstein

Judge Proskauer, David Bernstein and Paul Felix Warburg spoke on the aims of the 1940 drive. The speakers cited that the 1939 campaign ended with an amount which was $1,000,000 below the campaign goal. Additionally, the Federation itself ended the fiscal year with a deficit of approximately $750,000, and it is the purpose of those behind the 1940 drive to try and make up these amounts.

All were urged to try and convince contributing members to increase by one-third, if possible, the amounts which they gave last year. Barney Balaban, president of Paramount, Bernstein and Leopold Friedman of Loew's were among those cited as having indicated that they will increase their contributions.



Albert Warner

It was stated by Bernstein that William Paley, president of CBS, would contribute $17,500.

Speakers stressed the non-sectarian character of the assistance which the

(*Continued on page* 2)

Para. Nine-Month Profit Is $4,810,000

Paramount's net profit for the nine months ended Sept. 28, last, is estimated by the company at $4,810,000, inclusive of $1,355,000 representing its share of undistributed earnings of non-consolidated subsidiaries and $88,000 profit on purchase of its debentures.

This compares with earnings of $2,840,000 for the corresponding 1939

(*Continued on page* 4)

No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, which is Election Day.**

Personal Mention

MAURICE SILVERSTONE and CHARLES SCHWARTZ will leave for the Coast Thursday. LYNN FARNOL will leave on Wednesday to arrange for the Hollywood premiere of "The Great Dictator."

•

HARRY COHN, Columbia president, left for the Coast by plane over the weekend.

•

DAVID O. SELZNICK plans to leave for the Coast at the end of the week.

•

CLIFF WORK left for the Coast over the weekend following a brief home office visit.

•

ADOLPH ZUKOR will leave for the Coast on Friday.

•

LOUIS PHILLIPS will return to the city today from Madison, Wis.

•

ROBERT M. GILLHAM, director of advertising and publicity for Paramount, will leave tomorrow to visit the Fleischer Studio in Miami.

•

WILLIAM C. GEHRING, Central division manager for 20th Century-Fox, is expected back from Chicago today.

•

E. C. RAFTERY will return to the city today from Manchester, N. H.

•

JAMES R. GRAINGER, president of Republic, has returned from Cincinnati.

•

DAVE PALFREYMAN of the Hays office is back from Columbus.

•

RAY V. WEMPLE of Metropolitan Playhouses will return from a Coast vacation early this week.

•

RUTH RICH, secretary to GUS EYSSELL at Radio City Music Hall, is on a cruise.

Reopens Hearings On RKO Allowances

Federal Judge William Bondy on Friday reopened hearings on allowances in RKO reorganization proceedings awarded to George L. Schein, attorney for the Schein protective stockholders' Committee; David Stock, attorney for H. Cassel and Co.; and Abel Gottheimer and Bernard Bercu, accountants for Schein. They claimed that the awards granted by Judge Bondy were inadequate for their services.

Mexicans Applaud English Newsreel

Mexico City, Nov. 3.—The British Olympic Newsreel, a new subject here, is being accorded such public response that many theatres are featuring it. This demonstrates a pro-British swing on the part of Mexicans. The reel is frequently applauded.

'Zorro' Opens at Two Cincinnati Houses

CINCINNATI, Nov. 3.—With elaborate festivities, "The Mark of Zorro," 20th Century-Fox film, had its world premiere at the RKO Shubert and Albee here Friday evening.

The opening was held here because Tyrone Power, star of the film, is a native son. Power, his wife, Annabella, and his mother, Mrs. Patia Power, attended. There was a three-day celebration, a costume ball and five radio broadcasts, including the Kate Smith Hour and Vox Pop on CBS.

Present from the home office were Herman Wobber, general sales manager; William Sussman, Eastern division manager; Charles E. McCarthy, advertising and publicity director; Rodney Bush, publicity manager; Earl Wingart, Edward Solomon and Roger Ferri. George Roberts, district manager, attended from Cleveland.

Brandt, Murtha on Draft Appeal Boards

Harry Brandt, head of Brandt Theatres and president of the New York I.T.O.A., has been named by Gov. Herbert H. Lehman as a member of the Selective Service Board of Appeal for District 6 comprising parts of New York and Richmond counties. Thomas Murtha, head of Brooklyn Stagehands Union, Local 4, and president of the N. Y. Central Trades and Labor Council, was named to the board of District 13, Queens County.

Gabriel Pascal Due To Confer with U. A.

Gabriel Pascal, British producer, is due here by clipper about Dec. 15 to set release details with United Artists of "Major Barbara," which he has just completed at Denham studios. He will return to England in January to start preparation on two other George Bernard Shaw plays, "St. Joan" and "The Devil's Disciple."

Quigley Trophy to Consolidated Team

Quigley Publications' annual baseball trophy was presented Friday evening to the Consolidated Film Industries team, champion of the Motion Picture Baseball League. The presentation was at a dinner of the League at Studio Inn in Weehawken, N. J.

New York Critics Applaud 'Escape'

New York's daily newspaper critics are unanimous in their praise of M-G-M's production of "Escape."

Indicative phrases from the reviews include: "Crackles like vitality"—*Times;* "Moves with surprising speed"—*Mirror;* "Makes all other anti-Nazi pictures from Hollywood seem pallid"—*News;* "Forthright and engrossing screen adaptation"—*Herald Tribune;* "A fine movie, a great melodrama"—*PM;* "A heart-stopping thriller"—*Post;* "Exciting as all hell, acting is superb"—*World-Telegram;* "A strong story, excellently acted"—*Journal American.*

Fairbanks Stock Appraisal Awaited

An appraisal of the value of the late Douglas Fairbanks's one-fifth stock interest in United Artists is scheduled to be completed soon by the California estate tax appraisal division in probate court, Los Angeles. The appraisal is believed to be the first official valuation on United Artists stock ever to be made. The stock is privately held.

Roxy 37½-Cent Dividend

The board of Roxy Theatre, Inc., on Friday declared a quarterly dividend of 37½ cents a share on the preferred stock, payable Nov. 30 to stockholders of record Nov. 16.

Bernstein, Warner Again Head Federation Drive

(*Continued from page* 1)

Federation, and its 116 institutions render in New York City.

Various subcommittees with their chairmen and co-chairmen are now being formed to aid Bernstein and Warner in fulfilling the amusement division's goal. It was stated the division's goal will be substantially more than the $150,000 raised in 1939.

Vice-Chairmen Appointed

Several vice-chairmen will assist Bernstein and Warner in the drive. These are Barney Balaban, president of Paramount, Maurice Silverstone, chief of world-wide operations of United Artists; Nate J. Blumberg, president of Universal; Jack Cohn, vice-president of Columbia Pictures, and George J. Schaefer, president of RKO.

Every film company and exhibitor group will be served by a subcommittee composed of its own executives and employes. Subcommittees will also function in allied fields, including accessories, importers, publications, agents and artists, lawyers, night clubs, composers, radio companies and legitimate theatres.

Those at Meeting

Among those attending the meeting were Martin Quigley, Jack Alicoate, Barney Balaban, Judge Proskauer, David Bernstein, Paul Felix Warburg, Maj. Albert Warner, Jules Brulatour, Ralph Poucher, Toby Gruen, Leopold Friedman, Charles Sonin, Joseph Vogel, Maurice Bergman, Nate Spingold, Max Seligman, William Klein, Arthur H. Israel, Joseph Seidelman, Malcolm Kingsberg, Sam Shain, Leon Goldberg, Irving Barry, Aubrey Schenck, George Morris, Bertram Lebhar, J. Allan Danzig, Louis Frisch, Harold Rodner, Harry Buxbaum, Joe Lee, Edward N. Rugoff, George P. Skouras, A. P. Waxman and Leo Brecher.

Court in Pa. Rules Bank Night Illegal

PHILADELPHIA, Nov. 3.—In an important decision, the Pennsylvania State Superior Court ruled that Bank Night in theatres is illegal.

The high tribunal upheld a decision of the Beaver County courts against J. C. Lund, who operates two houses in Aliquippa and was convicted last March for setting up and operating a lottery. He was fined $500 and appealed the court's findings, contending the lottery element was ruled out since some patrons attended the drawings on passes and had the same chance of winning as those paying a regular admission.

Kansas City Union Signs New Contract

KANSAS CITY, Nov. 3.—One-year contracts with independents, Fox Midwest, and downtown first runs have been signed by the I. A. T. S. E. operators' local here, according to Walter Croft, business agent, on his return from New York, where part of the contracts were finally negotiated. The contracts expire Aug. 31, 1941.

Columbia Employes Club Party Tonight

The annual dinner dance of the Columbian Club, Columbia Pictures home office employes' organization, will be held tonight in the Century Room, Hotel Commodore. Philip Weissman, club president, is in charge. The program will be headed by Sammy Kaye and his orchestra.

RKO Passes Third Preferred Dividend

The third dividend on RKO's new six per cent preferred stock was passed by the company's board of directors at a meeting on Friday.

As of Oct. 31, dividends accumulated and unpaid on the stock amounted to $4.50 per share, or approximately $576,000.

Johnston Leaves Para.

HOLLYWOOD, Nov. 3.—Richard L. Johnston, Paramount studio production manager, resigned over the weekend. He will be succeeded by his assistant, George Berthelon.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

Feature Review

"East of the River"

(*Warners*)

A story by John Fante and Ross Willis, adapted by Fred Niblo, Jr., this is basically a variation of a familiar theme but, as told with John Garfield as a gangster, it is an interest-holding drama. Alfred E. Green directed and Harlan Thompson acted as associate producer.

Marjorie Rambeau appears as Garfield's mother, an Italian restaurant owner, while William Lundigan is her adopted son. Brenda Marshall and George Tobias are good, and on the whole the acting is convincing.

Garfield and Lundigan are at first law-breaking youngsters. Years later Lundigan is seen as an honor college graduate and Garfield, a gangster, just being released from prison. With Miss Marshall, Garfield joins his family and then settles matters with those who allegedly framed him. Miss Marshall and Lundigan in the meantime fall in love and marry.

A prologue describes the locale as "Little Italy," New York. The settings are effective.

Running time, 73 minutes. "G."*

**"G" denotes general classification.*

NAB to Consider Free Air Offers

WASHINGTON, Nov. 3.—Giveaways and free offers over the air, which have been the subject of vigorous protest by exhibitors as competition to theatres, will be discussed at a meeting of the National Association of Broadcasters Code Committee at a special meeting in Chicago on Thursday.

Time limitation on commercial announcements also will be considered. Edgar Bill, committee chairman, issued the call for the meeting.

Neville Miller NAB president, announced the personnel of the committee for the coming year. Besides Bill, who is with WMBD, Peoria, the committee includes Gilson Gray, CBS; Frank Mullen, NBC; Theodore C. Streibert, MBS; Earl J. Glade, KSL, Salt Lake City; Hugh A. L. Halff, WOAI, San Antonio; Henry P. Johnson, WSGN, Birmingham; J. O. Maland, WHO, Des Moines, and Calvin J. Smith, KFAC, Los Angeles.

Levy Host at Party

PHILADELPHIA, Nov. 3.—Nat Levy, eastern district manager for RKO, will play host to local employes at their second social function of the season tomorrow at North Hills Country Club. Headed by Branch Manager Charles Zagrans, exchange employes and a few invited guests will be present.

Kirby Leaves NAB For U. S. Army Post

Washington, Nov. 3. — Ed Kirby, director of public relations for the National Association of Broadcasters, has been given a leave of absence to establish and direct the Army's radio department in its public relations division. Plans of the Army general staff call for separate organizations for films, radio and the press.

Paley to Tour S. A. On Radio Survey

William S. Paley, CBS president, accompanied by Paul W. White, director of public affairs; Edmund Chester, newly appointed director of Latin-American relations, and Mrs. Paley will leave Thursday on a six-weeks tour of nine Latin-American countries to determine Latin-American tastes in radio programs, the number and distribution of receiving sets and similar data. Paley disclosed at the same time that the two new 50,000-watt international short-wave transmitters will be ready for operation by Sept. 1.

Unions' 'Fantasia' Dispute Is Settled

The union dispute which threatened to delay the world premiere of Walt Disney's "Fantasia" at the Broadway Nov. 13 was amicably settled between the two unions involved over the weekend, permitting the opening to go on as scheduled.

Under the agreement the International Brotherhood of Electrical Workers will install the new sound equipment required for the picture and the I. A. T. S. E., second party to the dispute, will handle its maintenance.

Walt Disney and Roy Disney are expected to arrive from the Coast next weekend to attend the premiere.

Nathanson Again Governor of CBC

TORONTO, Nov. 3.—N. L. Nathanson, president of Famous Players Canadian Corp., has been reappointed to the board of governors of the Canadian Broadcasting Corp. for another three-year term. Reappointed with the leading theatre executive of the Dominion was Major General Victor Odlum, who is now commanding Canada's Second Division with the army overseas.

Alan B. Plaunt, one of the original members of the CBC board, has resigned in protest against the policy and management of the network.



"Plenty of excitement and action"— Film Daily

"Lots of laughs ... more than usual serving of suspense" — The Exhibitor

"Tense melodrama"— M. P. Daily



Trust Action Cost Majors $2,500,000

(Continued from page 1)

of the defendant companies for many months, obtaining data in answer to Government interrogatories, interviewing prospective witnesses and investigating special sales and exhibition situations. The work, which continued for months, involved separate payrolls amounting at times, in the aggregate, to $15,000 per week. A large amount was spent in addition for travelling expenses of attorneys and investigators.

It is believed that the costs of the suits will exceed $3,000.000 by the time the four actions are dismissed insofar as the consenting companies are concerned. Defense costs of the three non-consenting companies will be continuing thereafter.

The consenting companies also rejected the proposed budget of $580,000 for the first year's maintenance and operation of the arbitration boards and appeals board, with suggestions for downward revisions in a number of appropriations. These suggestions may result in lowering the budget and may reduce the proposed salary of the appeals board chairman from the originally suggested $25,000 to $20,000 a year, and the salaries of the other two members of the appeals board from $20,000 to $18,000 a year.

The changes suggested by the companies are to be discussed and probably decided at a meeting of the Government and company attorneys and representatives of the A.A.A. today.

It was learned, however, that several as yet undetermined budgetary items may increase the cost of the boards to as much or more than the original estimate.

Retain Proskauer In Goldwyn Action

(Continued from page 1)

near future on the ground that Goldwyn has failed to comply with an order issued by Federal Judge Vincent L. Leibell directing Goldwyn to state separate causes of action. The producer is represented by George Z. Medalie, who succeeded the late Max D. Steuer as his attorney.

Efforts to settle the action last summer were rejected by Goldwyn after a tentative agreement had been reached whereby United Artists agreed to release him from his distribution contract with the company, return "The Westerner" to him for distribution elsewhere and pay him $250,000 in return for his United Artists stock holdings.

RCA Net $1,985,321

RCA earnings for the third quarter rose to $1,985,321 as compared with $1,894,224 for the same period last year. Earnings for each of 13,881,016 common shares amounted to 8.5 cents as compared with 7.9 cents for the same period last year. Net profit for the first nine months amounted to $5,713,943 as compared with $4,066,425 for the same period in 1939.

Changes Made in Decree And Rules of Arbitration

(Continued from page 1)

the member so disqualified or unable to act. The compensation of such temporary member shall be fixed by the court."

Revisions in Arbitration Rules

Following are the changes made in the arbitration rules supplementary to the Federal consent decree, which resulted in the completion of the document:

Preamble (New): "Filed herewith and made a part of these Rules is a map showing the territory throughout which the Arbitration Tribunal shall have jurisdiction (each of which territories is hereinafter called an Arbitration District), and the city in each such Arbitration District in which the Arbitration Tribunal shall be located. The Tribunal having jurisdiction in a particular proceeding shall be the Tribunal maintained pursuant to Section XXII of the Decree in the Arbitration District in which the complainant's theatre is located, except that when a distributor institutes an arbitration proceeding the Tribunal having jurisdiction shall be the Tribunal in the Arbitration District in which the theatre involved is located.

"If, any time after the fifteenth day following the filing of the demand and prior to the appointment of an arbitrator, all parties to a proceeding who become parties, by intervention or otherwise, on or before said fifteenth day shall by written agreement select another Tribunal as the Tribunal having jurisdiction and file such agreement with the clerk of the Tribunal originally having jurisdiction, jurisdiction of the proceeding shall hereby be transferred to the Tribunal so selected. Thereafter no further proceedings shall be had in the Tribunal originally having jurisdiction except that the clerk thereof shall forthwith deliver notice of such transfer to the American Arbitration Association and shall forthwith deliver the entire file in such proceeding to the clerk of the Tribunal so selected, who shall forthwith take the action prescribed in Rule III for the appointment of an Arbitrator from the Panel of Arbitrators for his Tribunal."

Page 1. *Fourth paragraph now reads:* "At the time of filing the demand the complainant shall deliver to the clerk of the Tribunal sufficient copies of the demand to enable the clerk to deliver one copy to each defending party and to each other exhibitor and distributor named in the demand, and the clerk shall forthwith make such delivery."

Paragraph 5 *now reads:* "Within seven days after the date on which the clerk of the Tribunal delivers a copy of the demand to a defending party, such party may . . ." (Continues to Page 2 without other change.)

Page 2. First word in seventh line changed from "any" to "a."

Second paragraph: The final sentence is added to the paragraph, thereby eliminating Paragraph 3: "The clerk of the Tribunal shall forthwith deliver notice of each intervention to each other party to the proceeding."

Page 3. *First paragraph:* The word "arbitration" eliminated from first line; the word "proceeding" substituted for the word "arbitration" in third line and the word "proceeding" substituted for the word "arbitration" in the fourth line.

Second paragraph: Second sentence beginning "A period of seven days . . ." eliminated in its entirety. Sentence following now reads: "If the clerk of the Tribunal does not receive the list from any party within seven days after the delivery of the list to such party, all the names on such list shall be deemed acceptable to such party."

Page 4. *Fourth paragraph:* The word "also" inserted between the words "Association" and "may."

Page 5. *Third paragraph, now reads:* "The arbitrator shall fix the time of the beginning of the hearing and may adjourn the hearing from time to time."

Fifth paragraph, second line: The word "commencing" substituted for the words "proceeding with."

Sixth paragraph: The words "appear personally and" are eliminated.

Ninth paragraph, third line now reads: "consider anly evidence so received and such inspections as he may make hereunder."

Page 6. Sixth line from bottom, the word "the" substituted for the word "a."

Page 7. The following is added to the end of the first paragraph: "but shall be bound by the award."

Page 8. Second paragraph, second line, the word "and" substituted for the word "or." Fifth paragraph; second line now reads: "the sums deposited . . ." Sixth paragraph, third line: the word "shall" substituted for the word "must."

Page 10. Paragraph beginning "Unless otherwise directed by the Appeal Board," now continues: "the record on appeal shall remain on file in the Tribunal until the expiration of the time for filing of all briefs as provided in Rule XVI." Second paragraph following, last line now reads: "delivery of a copy thereof to each other party." Next paragraph, second line, the word "each" substituted for "every" and in last line of same paragraph "a copy" is substituted for "of copies," "each" for "the" and "party" for "parties."

Last paragraph, first sentence now reads: "Upon the written agreement of all parties the Appeal Board shall . . ."

Page 12. *Fifth paragraph, last three lines now read:* "binding on all parties when it is filed with the Clerk of the Tribunal, or ten days after the decision corrected thereby was filed with the Clerk of the Tribunal, whichever is later."

Page 13. Under Clause XXII. Definitions, the following changes in paragraph sequence are made: Paragraph 2 becomes Paragraph 4, and 4 becomes 2.

Page 14. First paragraph is unchanged but the following two paragraphs are eliminated and the fourth paragraph becomes the last paragraph.

Equity Sets Sunday Show Start Today

(Continued from page 1)

voting privileges, cast an informal ballot of approximately five-to-one for Sunday performances.

Sunday shows have been a major Equity problem since the union was founded. The first membership meeting, in 1920, voted against Sunday shows on the ground that the managers might use this as an entering wedge to break down the maximum of eight shows per week established by the 1919 strike. The problem continued year after year. Finally, Broadway producers succeeded in having legislation passed permitting Sunday shows in 1935 when other theatrical unions refused any longer to support Equity's stand.

The statute provided that Sunday shows would be permitted if the cast received another night off. Equity, however, in a national referendum imposed the rule for two-eighths of a week's pay for each Sunday show and the legislation was, in effect, nullified. In March, 1939, Equity approved a national referendum provided the consent of all other unions to waive double pay was secured. The other unions, particularly the stagehands, balked and the referendum was never held.

This Spring, the League of New York Theatres obtained the necessary waiver from the stagehands. The musicians and treasurers, who never required extra pay, also agreed. Accordingly in September the Equity council approved a referendum and passed a resolution urging members to support the new move.

Para. Nine-Month Profit Is $4,810,000

(Continued from page 1)

period, which included $1,355,000 of undistributed earnings of subsidiaries.

Paramount's earnings for the third quarter of the current year are estimated by the company at $1,726,000, inclusive of $316,000 of undistributed earnings of subsidiaries and $22,000 profit on purchase of its debentures. The figure compares with net of $710,000, inclusive of $377,000 of undistributed earnings of subsidiaries, for the third quarter last year.

After deduction of $286,614 of first and second preferred dividends for the quarter, the estimated earnings are equal to 58 per cent per share on the 2,465,927 shares of common, while the nine months estimated earnings are equivalent to $1.60 per share on the common.

During the nine months period the company acquired a total of $910,000 par value of its first and second preferred stock at a discount of approximately $170,000, which has been credited to a special capital surplus account.

Priscilla Lane in Person

Priscilla Lane will make personal appearances at the Strand, beginning next Friday, with "Tugboat Annie Sails Again." She arrived over the weekend.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 90 NEW YORK, U. S. A., WEDNESDAY, NOVEMBER 6, 1940 TEN CENTS

Loew 1939-40 Net Estimated At $8,850,000

Equal to About $4.75 Per Share on Common

Loew's, Inc., according to authoritative estimates, will show a net profit of about $8,850,000, for the year ended Sept. 1, after setting up a reserve of about $2,000,000 for contingencies because of the foreign situation, and after taxes and the customary depreciation charges.



Nicholas Schenck

After approximately $820,000 for preferred stock dividends, the net earnings would amount to about $4.75 per share on the common stock outstanding.

These sources also estimate that at the present rate of company earnings, the first quarter net this year should run to about double that of the similar period last year, when the company showed a net profit of $1,393,456.

Loew's earned $9,841,530, in 1938-39, equal to $5.50 per share on the outstanding common stock.

No Final Proposal Yet on Money Pact

No final proposal for a new British monetary agreement has been received from London, Ambassador Joseph P. Kennedy said yesterday. Negotiations are continuing, he said, and may be concluded within the next two weeks.

Kennedy is expected to confer with Will H. Hays on the final arrangements before they are made public.

Exchange Serious S.A. Problem: Gould

Loss of export markets due to the war is causing a problem in limited foreign exchange in South America which, if not solved soon, will limit the purchasing power in this market of all large South American nations, Walter Gould, United Artists foreign department head, stated on Monday.

Coincident with his return to New York from a four-months' business trip to South and Central America, Mexico and Cuba, Gould's appointment to act as head of the United Artists foreign department was announced on Monday by Maurice Silverstone, chief executive of the company. Motion Picture Daily first reported the appointment on Oct. 16.

Silverstone's announcement said that Thomas P. Mulrooney, foreign

(*Continued on page 5*)

Key Grosses in Upturn; $1,359,400 for 131 Houses

THEATRE receipts in recent weeks showed a marked upturn, as the new season got well under way and strong product brought good returns at the box-offices of key city theatres throughout the country.

A total of 131 theatres in a score of key cities reported an aggregate gross of $1,359,400 for the week ending Oct. 18-19, according to the compilation of Motion Picture Daily from weekly box-office reports of key city houses. During the week ending Sept. 6-7, a total of 131 houses reported a combined gross of $1,545,900, and the following week 132 key theatres grossed a total of $1,482,800.

The following tabulation indicates the total gross each week and the number of theatres reporting since Jan. 1, 1940:

Jan. 5-6	159	2,077,200
Jan. 12-13	145	1,333,150
Jan. 19-20	140	1,453,300
Jan. 26-27	151	1,507,800
Feb. 2-3	157	2,171,600
Feb. 9-10	157	2,025,300
Feb. 16-17	151	1,785,200
Feb. 23-24	154	1,777,300
March 1-2	160	1,810,700

(*Continued on page 5*)

ELECTION SENDS GROSSES DOWN

Radio and Weather Depress Business in Most Cities; Broadway Crowds Flock To Theatres for Evening Shows

Election crowds stormed Broadway last night and filled the theatres after a spotty matinee start. Business picked up everywhere before the polls closed at 9 P. M. A New Year's Eve atmosphere was in evidence in Times Square as early as 6 P. M. All houses with stage shows did well.

"Escape" at Radio City Music Hall, with a stage show, will garner close to $100,000 in the week ending tonight, and will be held. This figure is unusual. "The Great Dictator" finished a third week at the Capitol and Astor last night with $55,000 and capacity of $19,000, respectively, and continues.

"The Mark of Zorro," with a stage show, has been strong at the Roxy and will wind up the week with about $55,000. It will be held until Nov. 14, when "You'll Find Out" goes in with Kay Kyser's band on the stage. The Roxy and Music Hall had big matinees yesterday.

"Arise My Love" at the Paramount, with a stage show featuring Tommy Reynolds' band, Frances Langford and Jon Hall, finished its third week last night with an estimated $40,000. "North West Mounted Police" opens today with Glen Gray and his band and Red Skelton.

At the Strand, "Knute Rockne—All American," with Woody Herman's band on the stage," is expected to do about $21,000 in a third week. "Tugboat Annie Sails Again" will open there Friday with Teddy Powell's orchestra.

"Long Voyage Home" in a fourth week at the Rivoli grossed an estimated $10,000. "Christmas in July" opened pretty well yesterday.

Theatre business in the majority of the cities was cut deeply yesterday as the nation voted and then remained close to radio sets to hear the returns. Bad weather in many sections contributed to a drop in grosses, which ranged variously from 10 to 40 per cent. Neighborhoods were affected at night more than downtown first runs.

Announcement of returns in theatres was reported as generally a small offset to the unprecedented radio barrage, but it helped some. In Pennsylvania, the industry supported the Sunday show referendum in many localities.

A few spots reported small declines or matinee increases. Among these were Buffalo, with strong films plus stage shows; Providence, with matinees better than average, and Miami, which reported attendance normal at main downtown houses while 10 per cent off elsewhere. Wilmington's first run business was up 15 to 20 per cent at matinees and normal at night, while night grosses slipped 25 per cent at the neighborhoods. San Antonio reported business about average.

In Washington, D. C., the lone city without a vote, it was business as usual and theatres giving returns benefited.

Additional business reports received late last night and early this morning were: Philadelphia, off 20 to 30 per cent; Pittsburgh, light all day; San Francisco and Seattle, sharp decline; Baltimore, off all day; Cincinnati, poor; Columbus, depressed; Milwaukee, off 10 per cent downtown, 25 per cent in neighborhoods; Des Moines, general slump; Omaha, bad; Birmingham, off 25 per cent; New Orleans, matinees normal, estimated 30 to 40 per cent off at night; Kansas City, first runs' matinees about normal, generally off at night; New Haven, mostly bad Monday and Tuesday; Atlanta, below normal; Indianapolis, off 25 per cent, mostly at neighborhoods.

RKO 39-Week Net Profit Is $317,186

Net profit of $317,186 after all charges is reported by RKO for the 39 weeks ended Sept. 28. No comparative figure is available for last year as the company was in reorganization then.

Profits from operations before deduction of $1,328,374 for depreciation and taxes was $1,865,142. In addition, provision is made for accrued dividends of $219,581 on Keith-Albee-Orpheum preferred stock in the hands of the public.

Reviewed Today

"The Mark of Zorro," "One Night in the Tropics," "Texas Rangers Ride Again"—Page 6. "Li'l Abner," "Mayerling to Sarajevo"—Page 8.

Election Returns On Second Screen

Providence, Nov. 5. — Audiences in Loew's State tonight watched two screens, one showing "The Great Dictator," the other, located alongside the proscenium arch, the latest election returns. Manager Ed McBride arranged for election bulletins by wire and radio and used a special projector for the extra screen. Photographs of the outstanding candidates in national, state and local contests were flashed with returns.

Personal Mention

WILLIAM F. RODGERS, M-G-M general sales manager, will arrive today from the Coast.

•

NICHOLAS M. SCHENCK arrived from the Coast by plane on Monday.

•

LOU WEINBERG and VINCENT BORRELLI, Columbia home office executives, will leave for Gloversville, N. Y., today on business.

•

T. J. CONNORS, Eastern sales manager for M-G-M, has returned from an exchange trip.

•

BEN J. ROBINS, manager of the St. Louis United Artists exchange, is the father of a son, born last week.

•

WILLIAM QUINLIVIN, Warner Philadelphia office manager, is improved after a siege of pneumonia.

•

WILL H. HAYS cast his ballot in Sullivan, Ind.

HERMAN WOBBER, general manager of distribution for Twentieth Century-Fox, is expected from the Coast about Nov. 21.

•

KENNETH MACKENNA, M-G-M scenario head, is in town from the Coast for a two-week visit.

•

MICHAEL NAVAS of the Twentieth Century-Fox story department here and SYLVIA SCHRIER have announced their engagement.

•

MRS. SAM BERG, wife of the Twentieth Century-Fox booker in Boston, is recuperating at her home after an operation.

•

MARY FERGUSON of the Comerford Theatres booking office in Scranton, Pa., is recuperating from an appendicitis operation in Mercy Hospital there.

•

LILLIAN DAY, M-G-M writer, has returned from Hollywood.

Production Course Is Plan of Academy

Hollywood, Nov. 5.—The board of governors of the Academy of Motion Picture Arts and Sciences on Nov. 15 will consider a proposal to establish a series of vocational advancement courses limited to studio employes.

No outsiders will be permitted to take any of the courses, the idea being to provide additional opportunity for those now in the industry.

'Arizona' Opening In Tucson Nov. 15

The world premiere of Columbia's "Arizona" will be held at Tucson, Ariz., on Nov. 15, with a week of local festivities planned in conjunction with the opening.

The film will have a triple opening, at the State and Rialto Theatres and the Temple of Music and Art. Wesley Ruggles, director; Clarence Buddington Kelland, author, and Jean Arthur, William Holden, Warren William and other members of the cast will attend. The ceremony in the city will start the morning of Nov. 15, with state, county and city officials participating. Mayor H. O. Jaastad will officiate. A parade, luncheon, dinner parties and a reception on Nov. 16 are included in the program.

Krieger Is Special Attorney for F.C.C.

Seymour Krieger, Assistant U. S. Attorney General attached to the Anti-Trust Division of the Department of Justice, who has been associated with the Government's prosecution of the industry anti-trust suit for the past year, resigned on Monday to accept an appointment as special counsel to the Federal Communications Commission.

New Jersey Allied Will Form New Unit

A separate unit of Allied Theatre Owners of New Jersey is being formed among exhibitors in the Southern part of the state under the direction of E. Thornton Kelly, field representative.

A regional vice-president and a secretary for the unit will be selected at a meeting at the Walt Whitman Hotel, Camden, on Nov. 18. Attending will be Lee Newbury, president of New Jersey Allied; Harry H. Lowenstein, secretary; Ralph Wilkins, regional vice-president, and others.

A meeting, dinner and "recreational evening" will be held by New Jersey Allied on Thursday at Harry Hecht's Ritz Restaurant, Passaic.

I.T.A. of Toronto Names New Board

TORONTO, Nov. 5.—The Independent Theatres Association has elected its board of directors for the fifth year, the 10 members being reelected with one exception, Harold Kay being replaced by F. C. Brown.

The 1940-'41 board comprises: Harry Alexander, N. A. Taylor, Tom Walton, M. L. Axler, H. Freedman, Harry Firestone, Sam Ulster, George Lester, Ben Ulster and F. C. Brown.

Columbian Club Dinner

About 175 members and guests attended the informal dinner and dance of the Columbian Club, Columbia employe organization, at the Century Room of the Hotel Commodore on Monday night. Philip Weissman, president, was in charge.

Frohman in Hospital

Daniel Frohman, 89, veteran stage producer, is at LeRoy Sanitarium here with a fractured hip bone. He sustained the injury in a fall last Friday.

B. & K. Executive Dies

CHICAGO, Nov. 5.—Max Turner, 54, stage production executive for Balaban & Katz, is dead at his home of a heart attack.

Para. Executives To Coast Today

Barney Balaban, Stanton Griffis and Neil Agnew will leave for the Coast today to attend annual product conferences at the Paramount studio. Discussions of production plans for next season will begin with studio officials tomorrow and will continue into next week when Paramount theatre associates will join in the meeting.

Leonard Goldenson and Sam Dembow, Jr., home office theatre executives, will leave for Chicago today where they will conduct a two-day meeting of the company's leading theatre associates of the Northern half of the country. They will leave for the Coast from Chicago Friday night.

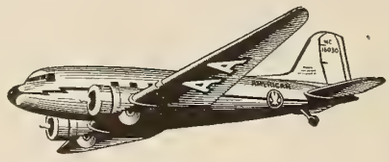
Adolph Zukor, Paramount board chairman, and Russell Holman, Eastern studio representative, will leave New York Friday for the Coast meeting.

Walter Cox Dead

Walter M. Cox, associated with D. W. Griffith as road manager on "Birth of a Nation" and other Griffith films, died at his home in the Hotel McAlpin on Sunday. He retired a few years ago.

Charles A. Stone Dies

TROY, N. Y., Nov. 5.—Charles A. Stone, former director of Pathe Film Corp., died here on Sunday. He was an investment broker.



CALIFORNIA

American's Southern Sunshine Route

5 FLAGSHIPS DAILY COAST-TO-COAST

★ It's only an overnight skysleeper trip to Los Angeles via American's Famous Sunshine Route! Delicious meals aloft. Stewardess service. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: Rockefeller Center, 18 W. 49th St.; Grand Central, 45 Vanderbilt Ave.

CONVENIENT DEPARTURES

The Sun Country Special 6:45 am
The Plainsman . . . 4:10 pm
The Mercury (Two Sections) 4:45 & 5:10 pm
The Southerner . . . 10:35 pm

AMERICAN AIRLINES Inc.

ROUTE OF THE FLAGSHIPS

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame.

Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

★ "ARIZONA'S FLYING PRESS SQUADRON" . . . . . .



in a lightning tour of the country...lands literally scores of full pages in leading newspapers...an unprecedented motion picture publicity barrage!

★ SMASH COLOR ADS FOR 50,000,000 READERS . . . .



in the Saturday Evening Post, Life, Look, Screen Book, Hollywood, Movie Story, Motion Picture, Screenland, Silver Screen, Movie Mirror, Screen Guide, Photoplay, Picture Play, Screen Romances, Movies, Movie Life, Personal Romances, Glamour and Modern Screen magazines!

★ 2 COAST-TO-COAST BROADCASTS FROM TUCSON . . .



as highlights of the huge two-day celebration of the great pre-release premiere on Friday, Nov. 15:

KATE SMITH HOUR—Friday (8 p. m., E. S. T.) ...over 89 CBS stations... climaxing five daytime broadcasts for "Arizona" during premiere week.

"VOX POP" Program—Thursday (7:30 p. m., E. S. T.)... over a big 50-station CBS network!

COLUMBIA PICTURES

"ARIZONA" WILL BE GENERALLY RELEASED DECEMBER 25TH

Wesley Ruggles'

ARIZONA

starring

JEAN ARTHUR

with

WILLIAM HOLDEN

WARREN WILLIAM · PORTER HALL

and a cast of thousands

Based on the Saturday Evening Post serial and novel by Clarence Budington Kelland

Screen play by Claude Binyon · Directed by WESLEY RUGGLES

A COLUMBIA PICTURE


THE MIGHTIEST OF
PRE-SELLING
CAMPAIGNS FOR THE
MIGHTIEST OUTDOOR
PICTURE OF THEM ALL!
CAMERA CAVALCADE
ARIZONA LIVES AGAIN
POTTER
"ARIZONA"
The SHOW
SCREEN • STAGE • RADIO • MUSIC • NIGHT SPOTS
Hollywood Re-conquers the Southwest
March of Events
Screen and Drama
Baltimore American
Movie and
RADIO GUID
The WESTERN
PICTORIAL REVIEW
Journal American
Movie Life
ALL AMERICAN ALL PICTURE MAGAZINE
IN OLD ARIZONA
TUDIO
in the
ESERT
Six millions
of SATURDAY EVENING POST
readers who thrilled to Clarence
Budington Kelland's magnificent serial,
"Arizona", can see it now as it comes to
thundering, spectacular life on the screen!
THE STORY
OF A
TEMPESTUOUS
LOVE!
THE DRAMA OF
A TUMULTUOUS
ERA!
Wesley Ruggles'
ARIZONA
JEAN ARTHUR
WILLIAM HOLDEN
TURBULENT ADVENTURE...SET AGAINST THE RICH
ROMANTIC TAPESTRY OF EARLY ARIZONA!
Wesley Ruggles'
ARIZONA
JEAN ARTHUR
WILLIAM HOLDEN
CREENLA
Movies Reconstruct Old
HOLLYWOOD MAKES
A CAMERA CONQUEST
OF THE SOUTHWEST
SCREEN
Romances
REEN GUIDE
Great
AMBLE
ARIZONA
SHE COULD MATCH WITS WITH WICKEDNESS IN THAT OUTPOST
OF LAWLESSNESS—BUT SHE WAS POWERLESS TO FIGHT LOVE!
5¢ A COPY
Collier's
THE NATIONAL WEEKLY
Leave the Lady Be
By Priscilla Condon
COLUMBIA
PICTURES

Atlas Adds 500 Shares RKO Common

WASHINGTON, Nov. 5.—Atlas Corp. acquired 500 additional shares of RKO preferred stock during September, it is reported by the Securities & Exchange Commission. Atlas's RKO holdings at the end of September consisted of 32,581 shares of preferred, 862,548 shares of common and 327,812 warrants for common.

Of its RKO common stock holdings, Atlas holds 594,318 shares direct and 268,230 shares through its subsidiary, the American Co.

The S.E.C. semi-monthly summary also reported the disposal of 1,000 shares of 20th Century-Fox common during September by Sidney R. Kent, president, leaving holdings of 2,180 shares, and the disposal of 700 shares of 20th Century-Fox common by Seton I. Porter, a director, leaving his holdings at 176 shares of common.

The commission reported that during the month Loew's, Inc., acquired another 309 shares of Loew's Boston Theatres common stock, giving it a total of 117,783 shares. R. B. LaRue, General Theatres Equipment Co. officer, acquired 100 shares of capital stock of the company, giving him a total of 600 shares.

A report on Columbia Broadcasting System showed that Herbert Bayard Swope, New York director, disposed of 380 shares of Class A common stock held through the Keewaydin Corp., leaving him with 6,000 shares so held and 1,100 shares held direct.

Offer Plan to Settle Philadelphia Action

PHILADELPHIA, Nov. 5.—Izadore Rappaport, Frank McNamee and Jay Emanuel are reported to have presented a plan to George T. Graves, owner and principal bondholder of the Carmen here, to take over operation of the house, in return for Graves' dropping his anti-trust suit against Warner Theatres and major distributors. The action was filed several years ago and is still unlisted for trial.

Rappaport operates the Hippodrome, Baltimore; McNamee is former RKO manager here, and Emanuel is a local exhibitor and one of the receivers for the Carmen.

It is understood Graves would retain his interest in the house, which went in receivership early in the year. The combine would lease it for operation. The arrangement if Graves approves it, would have to be ratified by Federal Judge Welsh, in whose court the receivership pends. It is also subject to the approval of the Stanley-Warner Co., chief defendant in the anti-trust action. The settlement would be contingent on the Carmen getting first run product in North Philadelphia now going to Warners.

Pathe Film Moves

Pathe Film Corp. and the Pathe Laboratories have moved their offices to 35 West 45th Street in the building housing Pathe News.

Canadian Trade Watches Consent Decree Closely

By W. M. GLADISH

TORONTO, Nov. 5.—The consent decree settlement of the U. S. Government anti-trust suit by five of the eight major companies, subject to the approval of the U. S. District Court at New York, has aroused considerable interest in film exchange circles of Toronto, the majority of the Canadian distributing companies being directly affiliated with the American firms.

The Independent Theatres Association of Ontario, most influential independent exhibitor organization in the Dominion, has been openly sympathetic with the exhibitor associations in the United States in their agitation with respect to the block-booking situation and the inter-locking of distributing and exhibiting companies.

The outcome of the anti-trust suit, now or in the future, will have no effect upon the film business in Canada, it has been pointed out by a spokesman for the distributors here. Company operations in the Dominion are entirely different from those of the parent bodies in the States and the legal and legislative situation in Canada is entirely distinct from that in the United States. Canadian laws covering trade operations are entirely different, it was pointed out.

Further, Canadian distributors and organized exhibitors have been of one mind in seeking self-regulation in trade activities and principles and have always tried to avoid resort to the courts in the settlement of internal disputes. This largely has been done through the creation of arbitration and conciliation boards and, more recently, in the development of clearance boards to regulate booking procedure and preferences and for the eventual hearing of priority differences. There has been a minimum of court cases throughout the Dominion because of the existence of the industry's own machinery for the consideration of grievances and contract disputes.

Key Grosses in Upturn; $1,359,400 for 131 Houses

(Continued from page 1)

March 8-9	159	1,794,700
March 15-16	154	1,590,400
March 22-23	156	1,504,100
March 29-30	157	1,790,600
April 5-6	147	1,463,500
April 12-13	153	1,467,700
April 19-20	143	1,355,300
April 26-27	143	1,321,800
May 3-4	148	1,347,900
May 10-11	150	1,299,000
May 17-18	148	1,184,400
May 24-25	134	1,048,100
May 31-June 1	147	1,260,900
June 7-8	138	1,189,600
June 14-15	133	1,090,300
June 21-22	129	1,123,200
June 28-29	119	975,100
July 5-6	127	1,330,800
July 12-13	115	1,150,400
July 19-20	109	1,028,600
July 26-27	108	932,400
Aug. 2-3	117	973,829
Aug. 9-10	113	1,029,656
Aug. 16-17	119	1,226,700
Aug. 23-24	124	1,326,300
Aug. 30-31	131	1,340,700
Sept. 6-7	131	1,545,900
Sept. 13-14	132	1,482,800
Sept. 20-21	136	1,343,800
Sept. 27-28	130	1,255,400
Oct. 4-5	127	1,264,300
Oct. 11-12	130	1,360,900
Oct. 18-19	131	1,359,400

(Copyright, 1940, Quigley Publishing Company, Inc.)

Cite Sonja Henie Salary

Sonja Henie revealed Monday on the witness stand that she has earned $639,895 from Twentieth Century-Fox since 1936. Her testimony was given before N. Y. Supreme Court Justice Aron Steuer who reserved decision at the close of the trial of Dennis R. Scanlan's suit for $92,000 alleged commissions due from Miss Henie as her agent.

Shift Seattle Prices

SEATTLE, Nov. 5.—John Danz has reestablished the "bargain matinee" policy at the first run Palomar, when admission rates of 20 cents plus tax prevail until 1 p.m. Formerly the matinee rate was 30 cents. Danz's Roosevelt has reduced matinee admissions from 25 cents to 20 cents, and evening admissions from 35 and 40 cents to 30 cents.

LondonHouses In Excellent Gross Pickup

By AUBREY FLANAGAN

LONDON, Nov. 5.—A combination of factors, including the temporary slowing down of the Nazi air raids over London with no raid alarms on Sunday night; pleasant weather and extended Sunday opening hours, gave film houses here excellent weekend business.

Typical was the Warner, which grossed more on the two-day weekend than during the entire week, and caused the company to reopen the Circle.

Recovering from the worst of the blitzkrieg, many Central and Greater London houses have reopened or will reopen shortly. Among West End houses, the London Pavilion and Astoria, temporarily closed, have reopened, the Marble Arch Pavilion will reopen on Sunday. The Carlton will reopen this month with "North West Mounted Police." The Trocadero and State opened last weekend.

The Leicester Square and Odeon, damaged in recent bombing attacks, have been closed, as well as the New Victoria. The Plaza, Empire, Warners, Regal, Gaumont and Ritz are continuing normally.

Exchange Serious S.A. Problem: Gould

(Continued from page 1)

sales manager, will continue in the same post under the direction of Gould.

The United Artists foreign head reported film and theatre business in Argentina, Brazil, Chile and Mexico especially good, with theatre construction active in many Latin American regions. He reported wide interest in the territories visited in Charlie Chaplin's "The Great Dictator," and said the picture would be sold there on terms comparable with those being asked here, including advanced admissions. The picture will open in Buenos Aires about New Year's Day, Gould said.

Discussing South America's threatened foreign exchange problem, Gould pointed out that the countries there either must use their limited dollar exchange to service their debts, mostly owed this country, or to buy goods. They haven't enough dollar exchange to do both, he said, since their European markets have been shut off by the war and they have been required to buy more from the United States, as a result.

Gould said that only slightly increased purchases by this country in South America could help the problem.

Yates Denies Any Republic Changes

H. J. Yates, president of Consolidated Film Industries, Inc., has denied reports that Republic Pictures is contemplating any change in distribution policy as a result of the consent decree. Yates said he had not had time to analyze the decree.

Coast Starts On Eight Films; 36 Shooting

HOLLYWOOD, Nov. 5. — Thirty-six pictures were before the cameras this week, as one picture was shelved temporarily, eight started and six finished. Nineteen are being prepared, and 72 are being edited. The postponed picture is the M-G-M vehicle for Spencer Tracy and Ruth Hussey, an untitled story of the life of Dr. Ephraim McDowell.

The tally by studios:

Columbia

Finished: "This Thing Called Love," "The Phantom Submarine."
In Work: "Legacy," "Penny Serenade."

Korda

In Work: "Lady Hamilton."

M-G-M

In Work: "Come Live with Me," "Keeping Company," "Maisie Was a Lady," "Wild Man of Borneo."

Monogram

Finished: "CCC Camp."
In Work: "Her Father's Daughter."
Started: "Under Texas Stars."

Paramount

Finished: "You're the One."
In Work: "I Wanted Wings," "Shepherd of the Hills," "Reaching for the Sun," "In Old Colorado," "The Lady Eve."

RKO

Finished: "Mr. and Mrs. Smith."
In Work: "Citizen Kane," "Kitty Foyle," "Three Girls and a Gob," "The Saint in Palm Springs."

Republic

Finished: "The Mysterious Dr. Satan."
In Work: "A Flagpole Needs a Flag."
Started: "Bowery Boy," "Lone Star Raiders."

Roach

Started: "Topper Returns."

Rowland

In Work: "Cheers for Miss Bishop."

20th Century-Fox

In Work: "Western Union."

Universal

In Work: "Trail of the Vigilantes," "The Invisible Woman," "Riders of Death Valley."
Started: "Backstreet," "Where Did You Get That Girl?"

Warners

In Work: "The Wagons Roll at Night," "Trial and Error," "Footsteps in the Dark," "Case of the Black Parrot," "Strawberry Blonde."
Started: "Father and Son," "Far Horizon."

Ohio Orders 30 Cuts

COLUMBUS, Nov. 5.—The Ohio censors reviewed a total of 510 reels in October, from which 30 eliminations were ordered, as compared with 511 reels and 22 eliminations in September. During October, 1939, there were 26 eliminations ordered from 678 reels reviewed.

Hollywood Reviews

"The Mark of Zorro"

(20th Century-Fox)

Hollywood, Nov. 5.

IT'S a different and livelier Tyrone Power who does in this variant of the Robin Hood theme what the late Douglas Fairbanks did in the first film of like name, and if it be in the nature of things by now for the public to accept on even terms the work of a man who undertakes to walk in the footsteps of a departed idol, Power's performance should bring men, women and children flocking to see his film. For it has in it all the fascination that has characterized the folktale of the hero who robs the rich in behalf of the poor in all its locations and languages since the forgotten first one.

This time the scene is early California, following an introduction in Spain, and the hero uses the sword as his instrument for balancing the fortunes of his fellow men. On the side of virtue are Montagu Love, Eugene Pallette, Linda Darnell and a horde of peons. On the side of evil are Basil Rathbone, J. Edward Bromberg and their soldiery. Others, ranging between, are Janet Beecher, Gale Sondergaard, Robert Lowery, Chris-pin Martin, George Regas and many more. High spot of the picture is a duel between Power and Rathbone, with plenty of swordplay, riding, pursuit and escape, fore and aft of that scene.

Directed by Rouben Mamoulian in a manner to make the most of action and pause, rush and rest, the screenplay by John Taintor Foote is from an adaptation by Garrett Fort and Bess Meredyth of Johnston McCulley's novel, "The Curse of Capistrano."

Running time, 94 minutes. "G."* ROSCOE WILLIAMS

"One Night in the Tropics"

(Universal)

HOLLYWOOD, Nov. 5.—Bud Abbott and Lou Costello, radio comedians whose popularity on the air lanes has been something of a sensation during the past year or two, are seen and heard here for the first time on the screen and the news to tell the customers is that they look as funny as they sound. Three or four times they take over the camera's attention for minutes on end and these interludes are the highlights of this musical comedy.

Allan Jones and Nancy Kelly enact the principal romance, which is crossed in the plot with another consummated, after much confusion, by Robert Cummings and Peggy Moran. Others in the cast are Mary Boland, Leo Carillo, William Frawley, Don Alvarado and Richard Carle. The story derives, by way of four writers, from "Love Insurance," a novel by Earl Derr Biggers, and pertains to humorous results of a young man's insuring another young man's marriage to a young lady by a given date. The scene is New York and a Latin capital.

Five Jerome Kern musical numbers, Dorothy Fields supplying lyrics for four of them and Oscar Hammerstein II the fifth, are sung by Jones as solos and otherwise. A. Edward Sutherland directed for Leonard Spigelgass, associate producer.

Running time, 83 minutes. "G"* ROSCOE WILLIAMS

"Texas Rangers Ride Again"

(Universal)

HOLLYWOOD, Nov. 5.—Paramount's "Texas Rangers Ride Again" is a modern western, with "mechanized" rangers, cattle rustling as a "big business," and most modern of equipment for both criminals and the forces of law and order. Nevertheless, none of the action, romance, comedy and suspense dear to the hearts of western fans is lost, the effect rather being the enhancement of the component parts.

John Howard, Ellen Drew, Akim Tamiroff, May Robson, Broderick Crawford, Charley Grapewin, John Miljan, William Duncan, Anthony Quinn, Harvey Stephens, Eva Puig, Harold Goodwin, Edward Pawley, Eddie Foy, Jr., Joseph Crehan, Jim Pierce and Monte Blue constitute the cast.

James Hogan directed from a screenplay by William R. Lipman and Horace McCoy, who wrote the original story.

Howard and Crawford, Rangers, pose as outlaws to gain the confidence of the band of criminals looting a huge Texas ranch. After a series of incidents, they discover the head of the ring to be a slaughter house proprietor who did huge interstate business in beef, and round up the entire outfit.

Running time, 67 minutes. "G."* VANCE KING

**"G" denotes general classification.*

'Burma' and Dorsey Good, Los Angeles

LOS ANGELES, Nov. 5. — "Moon Over Burma" and the "The World in Flame," with Tommy Dorsey's orchestra on the stage of the Paramount, scored $16,500 in its second week. All grosses were off, largely because of holdovers in most theatres.

Estimated takings for the week ending Oct. 30:

"Wyoming" (M-G-M)
"Dr. Kildare Goes Home" (M-G-M)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $9,500. (Average: $12,500)

"Thief of Bagdad" (U.A.)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 2d week. Gross: $7,700. (Average: $17,000)

"Foreign Correspondent" (U.A.)
4 STAR—(900) (55c-75c) 7 days, 5th week. Gross: $5,000. (Average: $3,250)

"They Knew What They Wanted" (RKO)
"Meet the Wildcat" (Univ.)
HILLSTREET — (2,700) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $6,500. (Average: $6,500)

"Wyoming" (M-G-M)
"Dr. Kildare Goes Home" (M-G-M)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $15,000. (Average: $14,000)

"They Knew What They Wanted" (RKO)
"Meet the Wildcat" (Univ.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $6,500. (Average: $7,000)

"Moon Over Burma" (Para.)
"The World in Flames" (Para.)
PARAMOUNT — (3,595) (33c-44c-55c-75c) 7 days, 2nd week. Stage: Tommy Dorsey and his orchestra. Gross: $16,500. (Average: $18,000)

"City for Conquest" (W.B.)
"Nobody's Sweetheart" (W.B.)
WARNER BROTHERS (Hollywood)—(3,000) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $8,200. (Average: $14,000)

"City for Conquest" (W.B.)
"Nobody's Sweetheart" (W.B.)
WARNER BROTHERS (Downtown)—(3,400) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $9,000. (Average: $12,000)

Kansas City Gives 'Mounted' $15,000

KANSAS CITY, Nov. 5.—The best showing in many months was recorded at the Newman by "North West Mounted Police," which did $15,000. Other bills were only fair in rainy, pre-election week.

Estimated takings for the week ending Oct. 30-31:

"Spring Parade" (Univ.)
ESQUIRE—(800) (28c-44c) 9 days. Gross: $2,500. (Average, 9 days, $2,800)

"Dr. Kildare Comes Home" (M-G-M)
"Dulcy" (M-G-M)
MIDLAND—(4,000) (28c-44c) 6 days. Gross: $4,700. (Average, 6 days, $8,000)

"North West Mounted Police" (Para.)
NEWMAN—(1,900) (15c-35c-40c-56c) 7 days. Gross: $15,000. (Average, $7,000)

"They Knew What They Wanted" (RKO)
"Mexican Spitfire Out West" (RKO)
ORPHEUM—(1,500) (28c-44c) 7 days. Gross: $5,500. (Average, $5,000)

"Argentine Nights" (Univ.)
TOWER—(2,200) (30c) 7 days. Stage: Valentine & Day, the Reddingtons, and Guy Lauren & Ginger. Gross: $5,600. (Average, $6,000)

"Spring Parade" (Univ.)
UPTOWN—(2,000) (28c-44c) 9 days. Gross: $3,500. (Average, 9 days, $3,800)

Guaranteed Loses Plea

Application of Guaranteed Pictures Co. for a temporary injunction to restrain Screen Attractions Corp. from distributing 10 Westerns was denied on Monday by N. Y. Supreme Court Justice William Collins who set the case for trial on December 2.

THE BACKLOG OF QUALITY

TODAY—next week—next year—you know you can depend on each Eastman negative film to do its special work surpassingly well. This unvarying reliability—a true backlog of quality—keeps these films strongly entrenched as the favorites of the industry. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*
Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

'Argentine' Is Frisco's Lead With $12,000

SAN FRANCISCO, Nov. 5.—"Down Argentine Way" and "Quarterback" drew $12,000 in the second week at the Paramount. "Spring Parade" took $9,500 in the second week at the Orpheum.

Estimated takings for the week ending Oct. 29-Nov. 1:

"Mexican Spitfire Out West" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $10,500. (Average, $15,000)
"Cherokee Strip" (Para.)
"Third Finger, Left Hand" (M-G-M)
FOX—(5,000) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $12,500. (Average, $16,000)
"Spring Parade" (Univ.)
"Glamour for Sale" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $9,500. (Average, $8,000)
"Down Argentine Way" (20th-Fox)
"Quarterback" (Para.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $12,000. (Average, $11,500)
"The Westerner" (U.A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $8,500. (Average, $8,000)
"Knute Rockne—All-American" (W.B.)
"Girl From Havana" (Rep.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $5,000. (Average, $6,000)
"Moon Over Burma" (Para.)
"Comin' Round the Mountain" (Para.)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days. Gross: $11,500. (Average, $12,000)
"Daybreak" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days, 3rd week. Gross: $800. (Average, $1,000)

Legion Approves 5 Of Seven New Films

The National Legion of Decency this week has approved five of seven new films reviewed, two for general patronage and three for adults. Two others have been found objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage — "The Fargo Kid," "Father Is a Prince." Class A-2, Unobjectionable for Adults—"Escape," "Hullabaloo," "Tugboat Annie Sails Again." Class B, Objectionable in Part—"Before I Hang," "Glamour for Sale."

Columbus Palace Reducing Prices

COLUMBUS, O., Nov. 5.—Effective Friday, the RKO Palace will reduce admissions to 20 cents until 1 P. M., 33 cents for matinees, with an evening scale of 33 and 47 cents, for balcony and lower floor, respectively. Present scale is 30 and 47 cents, matinee and night. Admissions for stage shows will be 30 cents until 1 P. M., 40 cents matinee, and 40 and 47 cents evenings, Monday through Friday.

The RKO Grand, a moveover house, which will make comparable price reductions on Friday will remain open permanently. Heretofore, the house has been operating on weekends only.

'Fantasia' Preview Set

A press preview of the new Walt Disney feature, "Fantasia," will be held at the Broadway Theatre next Tuesday evening, one day before the opening of the film on its regular indefinite engagement.

Feature Reviews

"Li'l Abner"

(RKO-Vogue)

Hollywood, Nov. 5.

"LI'L ABNER" brings to the screen Al Capp's United Features comic strip in terms of the newspaper cartoon, rather than of the motion picture. A literal and faithful translation, the film has a myriad of exploitation angles for enterprising showmen. Its dialogue, plot and action are virtually lifted from the strip (Capp himself having written the original story) and players, unknown for the most part, enact their roles in the way the artist visualized them and not in the manner of actors giving their interpretation of what the strip's creator had in mind.

Granville Owen in the title role and Martha O'Driscoll as "Daisy Mae" head the cast which includes Mona Ray, Johnnie Morris, Buster Keaton, Billie Seward, Kay Sutton, Walter Catlett, Edgar Kennedy, Lucien Littlefield, Chester Conklin, Al St. John, Eddie Gribbon, Heinie Conklin, Hank Mann.

Albert S. Rogell directed from a screenplay by Charles Kerr and Tyler Johnson. Herman Schlom was the associate producer. Vogue Pictures is headed by Lou Ostrow, now embarked on his own company after years at M-G-M where he started and carried on the "Judge Hardy" series.

The story of "Li'l Abner" deals with the efforts of "Daisy Mae" to marry the boy, winding up with "Sadie Hawkins Day," traditional "Dogpatch" institution in which the unmarried women vie for the hands of the bachelors in a foot race.

Running time, 78 minutes. "G."* VANCE KING

*"G" denotes general classification.

"Mayerling to Sarajevo"

(Leo Films)

The tragedy which stalked the Hapsburgs, reigning house of Austria, in the years before the first World War, culminating in the assassination of Archduke Francis Ferdinand, heir to the throne of the aged Franz Joseph, is the historical focal point about which this French film revolves. Occasionally, the film moves slowly, but it is finely executed.

It covers the period between the mysterious death of Crown Prince Rudolph at Mayerling and the shooting of Francis Ferdinand in 1914, which was the spark which touched off hostilities in that year. Victim with Ferdinand at his death was Sophie Chotek, his morganatic wife, whom the Archduke had married against the will of the Emperor.

The film is the story of the love of that couple, she an obscure Czech countess, he heir to the Austrian throne, and the bitterness of their love, frowned upon by the throne, and necessarily clandestine until their marriage. John Lodge skillfully portrays the badgered and unhappy Archduke, while Edwige Feuillere is splendid as the countess. Jean Worms is excellent as the Emperor.

Max Ophuls directed the film, which was produced by Ivan Foxwell in Paris.

Running time, 88 minutes. "A."* CHARLES S. AARONSON

*"A" denotes adult classification.

Named Office Manager

MILWAUKEE, Nov. 5.—Joseph McMahon has been named office manager of the local M-G-M exchange in addition to his duties as chief booker, succeeding Joseph Imhof, who after 20 years here has been transferred to the Chicago branch.

Branch Heads Named

SEATTLE, Nov. 5. — Sam Nathanson, Coast manager for Producers' Releasing Corp., has appointed Joseph Merrick manager of the local office. Oliver Wog will occupy a similar position in the company's Portland branch.

Attorneys Will Consider Budget For Arbitration Operations Today

Conferences to determine a budget for the first year's maintenance and operation of arbitration under the consent decree will be resumed at the Bar Association Building today with counsel for the Government and consenting companies, and representatives of the American Arbitration Association participating.

The first budget proposal was $580,000, but is undergoing downward revisions as a result of suggestions for economies subsequently proposed by the consenting companies.

'Finger' Gets Good $8,400, Seattle's Best

SEATTLE, Nov. 5.—"Third Finger, Left Hand" at the Fifth Avenue was the only strong attraction, taking $8,400. The weather was rainy and cool.

Estimated takings for the week ending Nov. 1:

"Third Finger, Left Hand" (M-G-M)
"Yesterday's Heroes" (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $8,400. (Average, $7,000)
"The Howards of Virginia" (Col.)
LIBERTY — (1,800) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $4,800. (Average, $5,000)
"Down Argentine Way" (20th-Fox)
"The Great Profile" (20th-Fox)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $3,000. (Average, $4,000)
"Tugboat Annie Sails Again" (W.B.)
"I'm Nobody's Sweetheart Now" (Univ.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $5,600. (Average, $6,000)
"Melody and Moonlight" (Rep.)
"Diamond Frontier" (Univ.)
PALOMAR—(1,500) (30c-40c-50c) 7 days. Vaudeville headed by "Daffy Auction." Gross: $5,100. (Average, $5,000)
"Dulcy" (M-G-M)
"Cherokee Strip" (Para.)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. Gross: $5,800. (Average, $6,000)

Assure 10 Mexican Films by Year End

MEXICO CITY, Nov. 5.—Completion by the end of this year of at least 10 features seems assured with the provision of $35,000 as an advance on the pictures by the Calderon Bros., operators of Spanish language film circuits in southwestern United States. The Calderons have undertaken exhibition of these pictures.

Another of America's oldest theatres, Teatro Principal in Guanajuato City, central mining camp, which operated from 1788 to 1916 as a legitimate house and from 1916 to 1921 as a film theatre, has been razed. The owner decided it would be more profitable to make it a garage.

WE Stays Defendant In Posen's 'U' Case

N. Y. Supreme Court Justice William Collins on Monday denied an application of Western Electric Co. to dismiss the directors' suit of Samuel Posen against Universal as far as it was concerned. The court in denying the motion stated that under the allegations of the complaint Western Electric was chargeable with the acts of Erpi, its subsidiary, and that the complaint stated a cause of action against Erpi. The decision does not affect any other defendant besides Western Electric.

Ampa Meet Tomorrow

The Ampa will hold a closed meeting tomorrow in the College Room of the Hotel Edison, to discuss revisions of the constitution recommended by the constitution committee.

To Score Film Here

Jack Schaindlin has been signed to compose an original score for Columbia's "West Point," to be scored here this week at the Eastern Service Studios.

BOOKING CALENDAR *for* 1941

EVERY SHOWMAN NEEDS ONE!

Each year, thousands of managers find the Quigley Booking Calendar a prime necessity in the successful operation of their theatres.

Its record of national and state holidays is a guide to the timely booking of appropriate pictures, tieing in with important historical events, permitting special exploitation campaigns of great benefit to your box office.

These Booking Calendars are supplied to managers at cost and for that reason do not allow the carrying of large stocks. Unless your order comes in early we may not be able to fill it. Be sure to get your 1941 Calendar by ordering it today!

LIMITED SUPPLY
ORDER PROMPTLY

USE THIS COUPON

Managers' Round Table,
Rockefeller Center,

MOTION PICTURE HERALD
New York

Kindly send me one Booking Calendar for 1941. I enclose 25c to cover handling and postage.

NAME_____ THEATRE_____

ADDRESS_____ CITY_____ STATE_____

Politics Lifts Webs' October Billings 20%

Aided by huge political bookings, network gross billings increased during October almost 20 per cent over the same month last year. CBS with $4,023,617, up 19.5 per cent over $3,366,654 for October, 1939, again went ahead of NBC-Red. The latter web grossed $3,842,195, a rise of 11.5 per cent over the same month last year.

NBC-Blue showed a stupendous 55.7 per cent upswing with gross billings of $1,203,499 for October, as compared with $773,119 for the same month last year.

Together, the Red and Blue grossed $5,045,694 for the month, a rise of 19.6 per cent.

Cumulatively, for the first 10 months, CBS has grossed $33,537,907, up 21.8 per cent. Both NBC webs together grossed $41,054,049, up 11.8 per cent, for the 10-month period. NBC-Red gross billings for the period were $32,515,286, a rise of 9.1 per cent, while the Blue took $8,533,763, an increase of 23.2 per cent.

FCC Approves Two New Broadcasters

WASHINGTON, Nov. 5.—The Federal Communications Commission has approved construction of two new broadcasting stations, issuing permits to the Batavia Broadcasting Corp. for a 1,500-kilocycle, 250-watt station at Batavia, N. Y., and the Capitol Broadcasting Corp. for a 1,280-kilocycle station at Indianapolis, with 1,000 watts night, 5,000 watts day.

The commission also authorized a number of power increases, approving the applications of Stations WIBA, Madison, Wis.; WDOD, Chattanooga, Tenn., and KFBB, Great Falls, Mont., for increase of night power from 1,000 to 5,000 watts; WORC, Worcester, Mass., for increase of power from 500 to 1,000 watts; KLS, Oakland, Cal., for increase from 250 to 1,000 watts; and WRR, Dallas, for increase from 500 to 5,000 watts.

Settle Select Action

Stipulations settling the suit of Select Theatres Corp. (Shuberts) for an injunction against Warners and Richard G. Ainley to restrain Warners from hiring Ainley as an actor have been filed in the U. S. District Court.

English Lessons

Mexico City, Nov. 5

A NOVELTY service, 15 minutes of nightly instruction in English, has been introduced by local Station XEQ, in collaboration with the newspaper, **Novedades.** ***The paper publishes English words and phrases and the radio station teaches proper pronunciation. This is the first radio service of the kind in Mexico.***

Off the Antenna

TWO stations were added to the NBC-Blue Southern network this week. WGRM, Grenada, Miss., on 1,210 k.c., and WSLI, Jackson, Miss., on 1,420 k.c., are the new stations. Both operate on 250 watts, full time, and their combined network rate will be $80 per evening hour. This brings the number of NBC affiliates to 206.

• • •

Program News: *"High School Sports Roundup," a novel series devoted to high school sports, will start over WNEW at 8:15 tonight, under the sponsorship of Barney's Clothes and will be heard Tuesdays, Thursdays and Saturdays thereafter. . . . Parks Johnson and Wally Butterworth mark their ninth anniversary with "Vox Pop" over CBS tomorrow evening at 7:30 P.M.*

• • •

WOV went back on the air Monday after a lapse of 24¾ hours due to the walkout of about 30 announcers and engineers Sunday at 3:30 P.M. Officials of the station explained that a conference had been set for Tuesday with Local 16 of the American Communications Association but a strike was called before the meeting could be held. A new crew was hired.

• • •

Harold C. Burke, general manager of WBAL, Baltimore, earlier this week signed contracts for the erection of the station's new 50,000 watt transmitter which was authorized by the FCC in September. No indication was given when the transmitter would be in operation.

• • •

Purely Personal: *Alois Havrilla has joined the WOR announcing staff. . . . H. V. Kaltenborn will be guest on Bill Stern's "Newsreel of the Air" Nov. 17. . . . Kate Smith will speak on behalf of the United Hospital Fund over WABC tomorrow at 3:15 P.M. . . . The Revuers will be guests on "Show of the Week" over Mutual Sunday at 6:30 P.M. . . . Lucy Monroe will sing "The Star Spangled Banner" to open the Armistice Day ceremonies at Arlington.*

• • •

WQXR's new 5,000 watt transmitter, which was put in operation last Friday, is equipped to carry the entire frequency range audible to the human ear, from 20 to 16,000 cycles per second, according to John V. L. Hogan, president.

• • •

Mutual started a new monthly bulletin service Monday for colleges and high schools in connection with its educational programs. Each bulletin will contain program listings and news of educational shows.

Broadway Opening of 'Blackout' Deferred

Broadway opening of "Blackout," British-made film distributed here by United Artists, has been indefinitely deferred. The picture had been scheduled to open at the Globe next Saturday, but the house cancelled the booking due to other commitments. No other date has so far been set. The film was acquired by David O. Selznick and Samuel Goldwyn with funds blocked in London.

Select Attractions Opens 20 Branches

Select Attractions has completed arrangements for exchanges in 20 cities, Charles Kranz, president, said upon his return to New York, Monday. A sales convention will be held within the next two weeks in either Chicago or New York which all branch managers will attend.

Musical Players to Aid 'Night of Stars'

Stars of the Broadway musicals will appear at the "Night of Stars" show Nov. 27 at Madison Square Garden, for the United Jewish appeal, according to Marvin Schenck, chairman of the producing committee. These include Ed Wynn, the Demarcos, Jane Pickens, Dave Apollon from "Boys and Girls Together"; Al Jolson, Martha Raye and Bert Gordon, "Hold on to Your Hats"; William Gaxton, Victor Moore, Vera Zorina and Carol Bruce, "Louisiana Purchase"; Bert Lahr, "DuBarry Was A Lady," and Betty Hutton and Arthur Treacher, "Panama Hattie."

Opens Two Exchanges

HOLLYWOOD, Nov. 5.—Harry Rathner, president of Producers Releasing Corp., has opened branches in Seattle and Portland, Ore., making a total of 25 exchanges.

Radio Strike Cancelled In Mexico

MEXICO CITY, Nov. 5.—The National Electricians' Federation cancelled orders to its members for a series of general strikes, inasmuch as the Government agreed to its request to settle the general electrical strike at Monterrey, northeastern industrial center. The general strike was to have forced the Government to end the Monterrey impasse. It would have hit theatres and radio hard.

The Government has decided not to look to radio for an extra monthly income of about $100,000. The Ministry of Communications and Public Works, which controls all radio, has decided not to tax each of the 500,000 radio receiving sets in Mexico 20 cents a month, as it was believed that many users would drop their apparatus and that radio is too valuable a vehicle of public culture, education and information to be hampered with taxes.

Sabbath Stage Shows Start This Sunday

Approval for the start of Sunday legitimate stage performances in New York effective this Sunday was granted by the Actors Equity council at a meeting Monday. The experimental period extends to June 1 and is conditioned upon a Sunday price scale equal to that of the rest of the week.

The council also authorized designated officials to sign a contract with the Dramatists Guild for a special setup on experimental theatres. Co-operative groups may work without salary and they control all rights to the play for a period of six months. However, the experimental production may be for three performances only. A joint board from Equity and the Guild will administer details.

The Associated Actors and Artistes of America, parent body of all actor unions, asked Equity, Screen Actors Guild and American Guild of Radio Artists each to lend $700 to the American Guild of Variety Artists. Equity approved the loan on condition that AFRA and SAG also would make similar loans and that AGVA would give assurances satisfactory to the three branches.

The council accepted charges against Maida Reade who used an Equity addressograph to send out Republican campaign literature. A hearing on the charges will be held Nov. 19.

Expect Revision of Excess Profits Tax

WASHINGTON, Nov. 5.—Revision of the new excess profits tax, due to become effective Jan. 1, is seen as a strong possibility because Treasury experts have found the provisions ambiguous and unworkable. The bill calls for heavy taxes on profits in excess of the 1936-'39 average.

It is believed here that litigation may result if the present ambiguous clauses remain, and the Treasury is having difficulty drafting regulations from the provisions of the law. The bill was drawn hastily and it is believed it can be redrafted before the end of the year if Congress takes it up when it reconvenes Nov. 18.

Bookers Hold Meeting

The Motion Picture Bookers Club held a social meeting at the Hotel Lincoln on Monday night. Harold Kline of the Cocalis Circuit was in charge.

Alaskan Outlet

The first Alaskan network outlet has been signed by Mutual. KGBU, Ketchikan, with 1,000 watts, 900 k.c., has become Mutual's 161st outlet. Since there are no telephone lines to Alaska, WGBU will pick up the signal from KOL, Seattle, and KMU, Tacoma, and rebroadcast. WKNY, Kingston, N. Y., has joined Mutual as the 162nd affiliate.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 91 NEW YORK, U. S. A., THURSDAY, NOVEMBER 7, 1940 TEN CENTS

FILE COPY DO NOT REMOVE

Sunday Shows Approved by 44 Pa. Towns

64 Communities in State Reject Proposal

HARRISBURG, Pa., Nov. 6.—Returns received here today from 108 Pennsylvania cities and towns in which referenda were held yesterday on Sunday films indicate that 44 communities approved Sunday shows and 64 voted against them.

Under the state law, any municipality, upon petition, may raise the question every five years. Harrisburg, the state capital, which never has had Sunday films, voted the proposition down by a vote of 17,449 to 15,502.

However, this was a marked gain in sentiment favoring the proposal, since five years ago, when this city voted on the subject, the vote in opposition was considerably greater, with a vote of 19,439 to 9,231.

Among the more important cities which yesterday approved Sunday films are: Carnegie, Reading, Windber, Easton, Ashland and Lebanon, all of which have had Sunday films in operation for at least five years and voted to continue it.

Among cities which voted for Sunday films for the first time are: Beaver Falls, Doylestown, Johnstown, Lancaster, Allentown, Hazleton, Pottstown, Behlehem and Mt. Carmel.

Imporant cities, besides Harrisburg, which heretofore have not had Sun-

(*Continued on page 6*)

U.A. Stockholders Will Meet on Nov. 19

United Artists' annual stockholders meeting will be held in Hollywood Nov. 19.

Maurice Silverstone, chief executive of the company, will leave here by train on Sunday for the Coast and will remain there for the meeting. Charles Schwartz, counsel and board member, will leave by train today and also will remain in Hollywood for the meeting.

'Dictator' Opens Its Canadian Run Today

TORONTO, Nov. 6.—The Canadian premiere of "The Great Dictator" will be held at the Elgin Theatre, Ottawa, tomorrow, with regular continuous performances. Officials of United Artists Corp., Ltd., and of Twentieth Century Theatres, Ltd., an independent circuit of which the Elgin is a unit, are attending the opening.

Daylight Time Loses Again in California

Hollywood, Nov. 6.—California again voted down a daylight saving time proposal on the basis of incomplete, unofficial returns today. The proposition was defeated by two to one.

The voters in 1930 turned down the proposal and the state legislature has defeated it five times. All major studios contributed short subjects shown in virtually all theatres calling for the defeat of the plan.

New 'Wind' Premiere

M-G-M plans to launch the general release of "Gone With the Wind" in January at popular prices with fanfare similar to that which greeted the roadshow engagement of the film a year ago.

A general release premiere will be held in Atlanta or some other large Southern city about Dec. 15, with the proceeds of the opening night probably going to the British War Relief Fund, and the stars of the film expected to attend.

The general release will entail no cut in running time, the David O. Selznick production being scheduled to run three hours and 45 minutes, the time of the roadshow engagements.

It appears that Atlanta, where the original world premiere was held, is favored as the site of the general release premiere for a return engagement. William R. Ferguson, M-G-M exploitation department head, discussed plans in Atlanta this week.

FINAL ARBITRATION BUDGET $490,000

$90,000 Cut in Proposed Figure for First Year's Operation; Lowers Appeal Chairman's Salary to $20,000

Final agreement was reached on Tuesday establishing a budget of $490,000 for the first year's maintenance and operation of the arbitration boards under the consent decree. The agreement represents a $90,000 reduction in the originally proposed budget of $580,000 which the consenting companies rejected as being too high.

Among the reductions made were those which resulted in lowering the salary of the chairman of the national appeals board from $25,000 annually to $20,000 annually, and the salaries of the other two members of the board from $20,000 to $17,500. The three will be appointed by Federal Judge Henry W. Goddard.

J. Noble Braden, executive secretary of the American Arbitration Association, will leave for a visit to the 32 exchange cities in which arbitration boards will be set up following approval of the decree by Judge Goddard. He will select panels for the local boards and establish offices for them during the trip.

Meanwhile, two additional minor changes in the rules of arbitration were made yesterday. The first was the elimination of the word "same" in the first line of the new fifth paragraph on Page 1 of the rules of arbitration. The second was the addition of the following phrase to the second line of the last paragraph on Page 3, following the word "arbitrator": "or in the case of an arbitration of a controversy under either Section IV or Section VII of the decree at

(*Continued on page 6*)

British Trade Kills Gov't Films Plan

LONDON, Nov. 6.—The recently proposed plan for an Army Council to monopolize the providing of film entertainment for soldiers was killed yesterday.

A joint trade meeting of the Cinematograph Exhibitors Association and the Kinematograph Renters Society (distributors) exhaustively discussed the situation, probably following informal conversations with the War Office and sent a letter reiterating the trade's objections in strong terms. It was urged that present agencies are functioning satisfactory and that the industry itself could supply all the entertainment needed for the troops.

The Army Council plan aimed at the establishment of 150 mobile 16mm. units and 150 35mm. units. They would be used primarily for technical training of troops but would also show entertainment films without admission charge. This would be a complete change in the present procedure.

Canadian Unity Foreshadowing Loss of French Film Popularity

Toronto, Nov. 6.—The end appears to be in sight for French language films in the Dominion but not because of any lack of product from France, either occupied or unoccupied.

Developments in international affairs have encouraged the adoption of a policy whereby French Canadians, who have strongly supported French pictures and had persisted in the use of the French tongue with clannish zeal, now are being urged by their own leaders to "learn English" if they want to get anywhere in the every day life of this continent.

The French Canadians, who have isolated themselves with their patois, have been told by newspapers and speakers that they must use English and that they must adopt eye and ear methods of catching up on the English language if they are to take their places in commerce and industry. This means they are to cast off their traditional ties with France, including the enthusiasm for French films.

W.B. District Heads Arrive for Parleys

Warner district managers from the United States and Canada arrived yesterday for home office conferences with Gradwell L. Sears, general sales manager, and Carl Leserman, his assistant. The managers, who will return to their territories over the weekend, include:

Robert Smeltzer, Central district, Washington; Rud Lohrenz, Midwest, Chicago; Ed Schnitzer, Eastern; James Winn, Prairie, Kansas City; Fred Jack, Southern, Dallas; Henry Herbel, West Coast, Los Angeles; and Wolfe Cohen, Canada, Toronto. Ralph McCoy, Atlanta branch manager, is also here.

Making Film Record of U.S. Aid to Britain

London, Nov. 6.—Duff Cooper told the House of Commons today that the British Ministry of Information is producing a film record of the help of the United States to Britain's Red Cross relief fund.

Mexican Film Total Is Facing New Low

MEXICO CITY, Nov. 6.—Mexican production appears headed for a new low, unless there is an unusual spurt between now and Dec. 31. The feature output up to Oct. 31 was 19—the fewest that has been produced since the industry began in this country with the production of talking films in 1930. Of the 1940 production total, only 10 have been exhibited.

La China Poblana, Mexico's national feminine costume, is to be the basis of a picture Miguel Contraras Torres is to make this Fall. The picture is to cost $31,000, the highest outlay for a Mexican film in many years.

Toronto Red Cross Fund Total $23,000

TORONTO, Nov. 6.—The film industry of Toronto, through its special campaign committees, headed by Gordon Lightstone for the exchanges and N. A. Taylor for the theatres, has handed over more than $23,000 in cash subscriptions as a result of the campaign of the Red Cross Society of Canada. Col. John A. Cooper, president of the Ontario Branch of the Society, accepted the donations which were handled by the Motion Picture War Services Committee, of which N. L. Nathanson is the president.

U.A. Files Plea Notice

United Artists Corp. yesterday filed notice in the U. S. District Court that it will ask Federal Judge John W. Clancy on Nov. 15 to dismiss the amended complaint of Samuel Goldwyn, Inc., and Samuel Goldwyn in the suit which asks cancellation of Goldwyn's contract with United Artists.

All-Chinese Film House for Frisco

San Francisco, Nov. 6.

CONSTRUCTION has been begun on a $100,000 all-Chinese talking picture theatre in Chinatown, to be owned and operated by Grand View Film Co., Ltd., Hongkong, which is owned by 10 prominent local Chinese. The house will open Dec. 1, have 400 seats, and be managed by Joseph Sunn, who also is president of the film production company. Chinese talking films will be shown four days weekly, accompanied by American shorts and newsreels. American duals will be shown the other three days.

Personal Mention

GEORGE J. SCHAEFER, RKO president, arrived from the Coast by plane on Tuesday.

•

HARRY BRAND, 20th Century-Fox studio publicity director, arrives today from the Coast.

•

TEDDY CARR, United Artists managing director for England, is expected here from London in the near future for a home office visit.

•

E. J. SPARKS is in town from Miami.

•

BOB MOCHRIE, Eastern and Southern division sales manager for RKO, will return from a Southern business trip this weekend.

•

WALT DISNEY is in Atlanta, en route here from the Coast. He is expected in New York this weekend.

•

HENRY KOSTER, Universal director, will arrive from the Coast by plane today to spend a vacation here with his wife and daughter, who preceded him to New York.

•

ANTHONY BOSCARDINE, operator of the Colonial, Canaan, Conn., announces the marriage of his daughter, JEAN, cashier at the theatre, to LAWRENCE STONE of Canaan.

•

RICHARD HYLAND and ARTHUR LEONARD, executives of Cinemasters, Inc., producing "Hobby Lobby" shorts for Columbia, left by plane yesterday for the Coast.

•

ETHEL BUTTERWORTH has joined the New York office of Russel Birdwell and Associates, headed by MYER P. BECK.

JOSEPH McCONVILLE, foreign manager for Columbia; JACK SEGAL, manager of foreign exchange operations, and CHARLES ROBERTS, home office supervisor for Latin America, leave Buenos Aires today for a visit to Chile which will conclude their tour of South America.

•

WILLIAM F. RODGERS, T. J. CONNORS, TED O'SHEA, WILLIAM A. SCULLY, JACK BOWEN, BEN ABNER, LOUIS FRISCH, SAM SHAIN, CHARLES E. MCCARTHY, MAURICE KANN, BEN SHLYEN, CHARLES M. REAGAN, ED SAUNDERS, GEORGE SKOURAS, GEORGE WELTNER, NAT KALCHEIM, JOHN W. HICKS and OWEN DAVIS having lunch yesterday at Nick's Hunting Room in the Astor.

•

SAM RINZLER, MORRIS KINZLER, ED PESKAY, ALBERT MARGOLIES, EDWARD WOLF, RUBE JACKTER, WILLIAM MOSES and EUGENE PICKER lunching at Lindy's (next to the Rivoli) yesterday.

•

JACK MILLS, SAM CITRON, DOUGLAS ROTHACKER and AL ALTMAN at the Tavern yesterday for lunch.

•

HARRY BRANDT, JOSEPH MOSKOWITZ, NATE SPINGOLD, HARRY COHN, IRVING BERLIN and JACK GOETZ, having lunch yesterday at Lindy's (51st St.).

•

BARNEY BALABAN, ADOLPH ZUKOR, JACOB WILK, CLAYTON BOND, AL LEWIS and WILLIAM MELNIKER lunching yesterday at Sardi's.

•

MAX TABACKMAN of the Rivoli, West Haven, Conn., and JULES LIVINGSTON, film man, were the winners in a New Haven city bridge tournament.

Tax Appeal in Ohio Delayed to Spring

COLUMBUS, Nov. 6.—The suit of John V. Bostick, taxpayer, asking an order against the Ohio Tax Commission to compel collection of the three per cent sales tax on film rentals since the law became effective four years ago, probably will not be heard in the Appellate Court until Spring.

The State Tax Department maintains that film rentals are tax exempt, according to a ruling of the Attorney General, despite an opinion of the Tax Board that these rentals come within the classification of taxable commodities.

Skouras Trial Nov. 20

Federal Judge Samuel J. Mandelbaum yesterday postponed trial of the Government case against George P. Skouras, Skouras Theatres Corp., Ktima Corp., and Harvey B. Newins until Nov. 20 on request of attorneys for both sides.

Gilson Is Injured

Charles E. Gilson, March of Time cameraman, is in Portsmouth Hospital, Portsmouth, N. H., with a fractured pelvis and a leg injury suffered in an automobile accident Sunday night while on an assignment with his assistant, Burt Pike.

Houses in Canada Town Form Group

TORONTO, Nov. 6.—All theatre managers of London, Ontario, have become members of the London Theatres Association, with W. K. Trudell of the Capitol, a circuit theatre, as chairman, and Jack Whitehouse, manager of the Centre, independent, as secretary.

The first moves of the organization, which is the first of its kind in the Dominion, was to clear up the charity appeal situation and to obtain a daily film section in the local daily, the *Free Press*, the display advertisements being moved from the obituary page. Local exhibitors had been swamped with requests for cooperation from all types of welfare and patriotic societies but now every application for theatre help is being passed upon by the managers as a body.

Defense Asks Cassil Action Be Dismissed

KANSAS CITY, Nov. 6.—Defendants in the $450,000 anti-trust damage suit of Mr. and Mrs. Frank Cassil, Rialto, St. Joseph, Mo., have filed motions to dismiss the suit in Federal district court here. Defendants are major distributors and Dubinsky Brothers circuit.

First in 10 Years

Mangham, La., Nov. 6.

RESIDENTS of this small town will have the opportunity to see their first motion picture in 10 years on Dec. 9, when the first theatre opens since the old silent days. The new house will be called the Liberty and will be managed by Sam Piro, who also managed the only theatre here years ago.

Oppose Pittsburgh Operator Licenses

PITTSBURGH, Nov. 6.—An ordinance has been proposed to the City Council by Lawrence Katz, representative of the I. A. T. S. E., to require projectionists of all kinds of motion pictures to be licensed.

The proposal has been called in some quarters an attempt to force membership in the operators' union as a prerequisite for all persons who show pictures outside their homes, whether they be 8 mm or 16 mm or 35 mm, in church or public meeting or anywhere else.

Introduced allegedly to provide for better regulation of films and particularly to check on subversive or immoral pictures, the ordinance would require amateur projectionists to serve as apprentices under licensed operators for six months, then pass a city examination and pay a $2 license fee.

Union's Demand Kills Cleveland Show Plan

CLEVELAND, Nov. 6.—Plans for three stage shows lined up here by Loew's officials for the State were called off when the musicians' union, which requested a 20-week contract for the season, refused to compromise with the circuit on 10 weeks.

As a result of the controversy, theatre officials said it appeared that no vaudeville will be presented this Winter. The cancelled show was transferred to Columbus.

Cohen Joins Hirliman

Ben Cohen of the Warner home office publicity department has resigned to join George Hirliman's production unit on the Coast as assistant.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

WAIT TILL YOU HEAR FROM THE MOB

—when you play

UNIVERSAL'S RIOT ROMANCE

set to music... and comedy... to make a nation's heart glow and its feet itch to dance!



Rain didn't stop the crowds at Paterson, N. J. when "One Night in the Tropics" premiered there last week!

ONE NIGHT *in the* TROPICS

starring

ALLAN JONES · NANCY KELLY

Song-Star of "The Boys from Syracuse" — At her loveliest since "Jesse James"

BUD ABBOTT & LOU COSTELLO

Radio Sensations of "I'm a baaad boy" fame

ROBERT CUMMINGS

Romantic Hero of "Spring Parade"

with **MARY BOLAND · LEO CARRILLO · WILLIAM FRAWLEY**
PEGGY MORAN · NINA ORLA · RICHARD CARLE

Directed by **A. EDWARD SUTHERLAND**

Associate Producer: Leonard Spigelgass

Screenplay by Gertrude Purcell and Charles Grayson

Adapted by Kathryn Scola and Francis Martin from the novel "Love Insurance" by Earl Derr Biggers

A THRILLING JEROME KERN SCORE:

Hot hit songs: "Farandola," "You and Your Kiss," "Sim... Philosophy," "Your Dream," and "Remind Me."

At last... the screen presents the newest comedy sensation of radio and Broadway... Abbott and Costello, kings of hilarity!

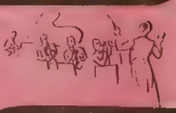
NATIONAL RELEASE NOV. 15th

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Oct. 11		Third Finger Left Hand (C) *Myrna Loy Melvyn Douglas*	Drums of the Desert (D) *Ralph Byrd*	Cherokee Strip (O) 4005 *Richard Dix Florence Rice*	Melody and Moonlight (M) 005 *Johnny Downs*		Down Argentine Way (M) 113 *Don Ameche Betty Grable*		A Little Bit of Heaven (M) *Gloria Jean Robert Stack*	Father Is a Prince (C) *Grant Mitchell Nana Bryant*
Oct. 18	Nobody's Children (D) *Edith Fellows Billy Lee*		Old Swimmin' Hole (D) 4010 *Moran-Jones*	Moon Over Burma (D) 4006 *Dorothy Lamour*	Hit Parade of 1941 (M) 001 *Kenny Baker Frances Langford*	Laddie (O) 107 *Tim Holt V. Gilmore*	Night Train (D) 114 *M. Lockwood Rex Harrison*		Slightly Tempted (C) 50-24 *Hugh Herbert*	Dispatch from Reuters (D) *Ed. G. Robinson Edna Best*
Oct. 25	West of Abilene (O) Girls Under 21 (D)	Hullabaloo (C) 109 *Frank Morgan Billie Burke*		Christmas in July (C) 4007 World in Flames (D)	Young Bill Hickok (O) 052 *Roy Rogers*	They Knew What They Wanted (D) *C. Laughton Carole Lombard*	The Great Profile (C) 111 *John Barrymore*		Seven Sinners (D) *Marlene Dietrich John Wayne*	Tugboat Annie Sails Again (D) *M. Rambeau Alan Hale*
Nov. 1	Blondie Plays Cupid (C) *Penny Singleton Arthur Lake*	Escape (D) 108 *Norma Shearer Robert Taylor*		Dancing on a Dime (C) 4008 *Grace McDonald Robert Paige*	Who Killed Aunt Maggie (D) *John Hubbard Wendy Barrie*	Li'l Abner (C) 109 Too Many Girls (M)			I'm Nobody's Sweetheart (D) 5036 Devil's Pipeline (D) 50-52	Always a Bride (C) *Rosemary Lane*
Nov. 8		Bitter Sweet (M) *J. MacDonald Nelson Eddy*	Chamber of Horrors (D) *Leslie Banks*	Arise My Love (D) 4009 *Claudette Colbert Ray Milland*	Friendly Neighbors (M) *Weaver Bros. and Elviry*	Mexican Spitfire Out West (C) 111 *Lupe Velez*	Mark of Zorro (D) 117 *Tyrone Power Linda Darnell*		Sandy Gets Her Man (C) *Baby Sandy Stuart Erwin*	East of the River (D) *John Garfield Brenda Marshall*
Nov. 15	Beyond the Sacramento (O) *Bill Elliott Evelyn Keyes*	Gallant Sons (D) *Jackie Cooper Bonita Granville*	Take Me Back to Oklahoma (O) *Tex Ritter*	Three Men from Texas (O) 4050 *William Boyd Russell Hayden*	Trail Blazers (O) *3 Mesquiteers* Melody Ranch (O)		Street of Memories (D) 102 *Lynne Roberts*		One Night in Tropics (M) *Nancy Kelly Alan Jones*	South of Suez (D) *George Brent Brenda Marshall*
Nov. 22	Escape to Glory (D) Lone Wolf Keeps a Date (D)	Little Nellie Kelly (M) *Judy Garland George Murphy*	Phantom of Chinatown (D) *Keye Luke*		Texas Terrors (O) *Don "Red" Barry Julie Duncan*	You'll Find Out (M) 108 The Fargo Kid (O)	Youth Will Be Served (D) 119 *Jane Withers Jane Darwell*	Long Voyage Home (D) *John Wayne Thomas Mitchell*	Meet the Wildcat (D) 5023 *Ralph Ballamy*	The Letter (D) *Bette Davis Herbert Marshall*
Nov. 29	Ellery Queen, Master Detective (D) *Ralph Bellamy*	Comrade X (C) *Clark Gable Hedy Lamarr*	West of Pinto Basin (O) *Ray Corrigan Terhune & King*		Meet the Missus (C) *Higgins Family*	Little Men (D) 110 *Kay Francis Jack Oakie*	Tin Pan Alley (M) 120 *Alice Faye Betty Grable*	Blackout (D) *Conrad Veidt Valorie Hobson*	The Bank Dick (C) *W. C. Fields Una Merkel*	Lady With Red Hair (D) *Miriam Hopkins Richard Ainley*
Dec. 6	Thundering Frontier (O) *Chas. Starrett Iris Meredith*	Go West (M) *Marx Brothers Diana Lewis*		Night at Earl Carroll's (C) *Ken Murray Lillian Cornell*	Border Legion (O) *Roy Rogers Gabby Hayes*		Charter Pilot (D) 118 *Lloyd Nolan Lynn Bari*		Margie (C) 5026 *Tom Brown Nan Grey*	Invitation to a Murder (D) 520 *Thomas Mitchell Jeffrey Lynn*
Dec. 13	Great Train Robbery (D) *Jack Holt Vickie Lester*	Dr. Kildare's Crisis (D) *Lew Ayres L. Barrymore*	C. C. C. Camp (D) *Bobby Jordan Leo Gorcey*	Texas Rangers Ride Again (O) *John Howard Ellen Drew*	Barnyard Follies (C) *Mary Lee Rufe Davis*		Murder Over New York (D) 121 *Sidney Toler Ricardo Cortez*		Invisible Woman (C) *J. Barrymore Virginia Bruce*	She Couldn't Say No (C) 571 *Roger Pryor Eve Arden*
Dec. 20	Phantom Submarine (D) *Anita Louise Bruce Bennett*	Keeping Company (D) *John Shelton Ann Rutherford*	Her Father's Daughter (D) *Edith Fellows E. Evans*				Jennie (D) 122 *V. Gilmore William Henry*		Give Us Wings (D) *Little Tough Guys*	
Dec. 27			Under Texas Stars (O) *Tex Ritter*	North West Mounted Police (D) 3946 *Gary Cooper*			Chad Hanna (D) 123 *Henry Fonda Dorothy Lamour*	Thief of Bagdad (D) *Sabu June Duprez*	Trail of the Vigilantes (D) *Franchot Tone B. Crawford*	Santa Fe Trail (D) 551 *Errol Flynn O. De Havilland*

Perk up Your Program with PARAMOUNT SHORTS



October 25 Headliner 'LISTEN TO LARRY' (Larry Clinton and Orchestra)



November 1 Color 'POPULAR SCIENCE' No. 2



November 1 Grantland Rice Sportlight 'MOTORCYCLE STUNTING'



November 8 Benchley Comedy 'THE TROUBLE WITH HUSBANDS'



Every Paramount Short is 100% BOX OFFICE TESTED!

Showmanship Flashes . . .

School Band Contest Aids 'Strike Up Band'

BIRMINGHAM, Ala., Nov. 6.—Promotion for "Strike Up the Band" consisted of a tieup with the Auburn-Howard freshman football game played at Legion Field, all proceeds of which went to the Crippled Children's clinic. Mickey Rooney and Judy Garland, stars in the picture, bought $100 worth of tickets to the show and the baton used by Mickey in the picture was presented to the drum major of the high school band winning the championship in a contest in connection with the game.

Football Teams on Stage for 'Rockne'

Wilkes-Barre, Pa., Nov. 6.—Manager Fred Lee and Assistant Manager Tom Broderick of the Capitol, in their campaign on "Knute Rockne—All American," set aside five nights for the local high schools when the respective bands, teams and cheer leaders were introduced from the stage during a special 10-minute program before the last show.

'Ramparts' Book Brings Time Award

The March of Time received an award of special merit for excellence in commercial printing at the opening of the sixth annual printing exhibition of the New York Employing Printers Association. The award was made for the clip and work book on "The Ramparts We Watch," prepared by the advertising and publicity department, headed by Albert E. Sindlinger.

Army Unit on Opening Of 'World in Flames'

BALTIMORE, Nov. 6.—In connection with the opening of "World in Flames" at Keith's, Manager Lawrence Schanberger arranged with a nearby army post to furnish two anti-aircraft searchlights for the first showing. Stationed outside the theatre, they were handled by a squad of soldiers.

Seek Girl for Role in Broadcast on 'Zorro'

CINCINNATI, Nov. 6. — A talent search is being conducted here for a girl who most closely resembles the Linda Darnell type, to appear in Miss Darnell's role in the air version of "The Mark of Zorro," to be broadcast from here on the Kate Smith hour Nov. 1, simultaneously with the world premiere of the picture at the RKO Albee and Shubert. The winner will be selected by a special committee headed by Ted Collins.

Interview with Player Plugs 'Knute Rockne'

JANESVILLE, Wis., Nov. 6.—Eaton Sizer, manager of the Jeffris Theatre here, promoted the appearance of John Tobin, a member of the last Notre Dame football squad coached by the late Knute Rockne in an interview over Station WCLO to plug the film, "Knute Rockne, All-American," at the theatre.

Feature Review

"Glamour for Sale"

(*Columbia*)

The rackets which allegedly lie behind the escort business form the comparatively new screen theme of "Glamour for Sale." Competent direction is provided by D. Ross Lederman. John Bright wrote the original screenplay.

Roger Pryor, co-starred with Anita Louise, is seen as a police undercover man investigating escort service rackets. Miss Louise is employed at first at a legitimate service but becomes involved in another which blackmails its clientele. With her assistance, Pryor and the police obtain conclusive evidence against the racketeers.

The story moves rapidly and effectively. Frances Robinson, Don Beddoe, Paul Fix and Arthur Loft in featured roles perform smoothly. Pryor is good, too, while Miss Louise handles her script skillfully.

Running time, 59 minutes. "G."*

**"G" denotes general classification.*

Community Chest Leaders Touring Coast Agencies

Hollywood, Nov. 6

COMMUNITY Chest drive leaders in the local film industry have started personal tours of the agencies deriving benefits from the chest funds, under a plan of Louis B. Mayer, chairman. No drive leader soliciting funds will do so before witnessing the work being accomplished at the various institutions, according to Mayer.

• •

Alice Faye, Don Ameche and Carmen Miranda are set for "The Road to Rio," 20th Century-Fox. ... John Litel, Frieda Inescort top the cast of Warners' "Father and Son," which D. Ross Lederman will direct. . . . 20th Century-Fox has purchased "Bucharest Ballerina Murders," novel by F. van Wyck Mason, and "Swamp Water," story by Vereen Bell soon to be published in the *Saturday Evening Post*.

• •

WALLACE BEERY will do "Bad Man," from the famous PORTER EMERSON BROWN play, as his next at M-G-M. RICHARD THORPE will direct with J. WALTER RUBEN producing. . . . GORDON JONES joins Paramount's "Reaching for the Sun" cast, headed by JOEL MCCREA and ELLEN DREW. RENIE RIANO has been set for the leading character role in "You're the One," ORRIN TUCKER-BONNIE BAKER vehicle at Paramount which GENE MARKEY is producing and RALPH MURPHY directing.

• •

JAMES ELLISON has been given a leading role in RKO'S "They Met in Argentina," in which MAUREEN O'HARA, ALBERTO VILA, BUDDY EBSEN and JOSEPH BULOFF will appear. Music is by RODGERS and HART. . . . Republic is borrowing DOROTHY DAVENPORT from SAMUEL GOLDWYN for the feminine lead in "The Flagpole Needs a Flag" opposite LLOYD NOLAN.

• •

M-G-M has organized a group of composers who will do original themes for dramatic sequences for film scores. The group now includes EUGEN ZADOR, symphony composer; DANIELE AMFITEATROF, noted Russian composer, and MARIO CASTLENUEVO-TEDESCO, collaborator with JASCHA HEIFETZ on "The Prophets."

• •

Laurence Stallings has been signed to write the screenplay from Rudyard Kipling's "The Jungle Book," which will star Sabu. Zoltan Korda will direct the film, which will be distributed by United Artists.

• •

After encountering casting difficulties, HAL ROACH last week started "Topper Returns," third of the pictures based on the Thorne Smith characters. With CAROLE LANDIS replacing JOAN BENNETT and DENNIS O'KEEFE replacing VICTOR MATURE, the cast consists of, in addition to the "regulars," BILLIE BURKE and ROLAND YOUNG, JOAN BLONDELL, H. B. WARNER, EDDIE "ROCHESTER" ANDERSON and PATSY KELLY. ROY DEL RUTH is directing from an original screenplay by JONATHAN HALE and GORDON DOUGLAS. . . .VICTOR HEERMAN and SARAH Y. MASON have been set to do the screenplay for "The Light of Heart," from EMLYN WILLIAMS' play at 20th Century-Fox.

• •

JACK OAKIE has withdrawn from the cast of 20th Century-Fox's "Tall, Dark and Handsome," in favor of a role in the same studio's "The Great American Broadcast" . . . M-G-M has given MELVYN DOUGLAS a term contract . . . HEATHER ANGEL joins the cast of RKO's "Kitty Foyle," which SAM WOOD is directing. GINGER ROGERS is starred . . . AKIM TAMIROFF has been assigned to Paramount's "New York Town" . . . PHIL and JULIUS EPSTEIN have had their writing contracts at Warners extended . . . JACQUELINE WELLS replaces ANN DORAN in Monogram's "Her Father's Daughter," GENE STRATTON PORTER story.

Gloria Jean Due Today

Gloria Jean will arrive from the Coast by train today for four days of personal appearances in RKO metropolitan circuit houses here. She will leave for Scranton, Pa., her home town, on Monday.

'Dictator' Is Philadelphia Top, $28,300

PHILADELPHIA, Nov. 6.—As the election campaign neared its close, the local theatres took a sudden dip in attendance. At the Aldine, the first week of "The Great Dictator" at increased prices brought a strong $28,300. "Hit Parade of 1941" at the Earle, with Gene Krupa's band, took $24,000.

Estimated takings for the week ending Oct. 30-Nov. 1:

"The Great Dictator" (U.A.)
ALDINE — (1,400) (75c-$1.14) 7 days. Gross: $28,300. (Average, $9,000)

"Strike Up the Band" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $3,800. (Average, $2,600)

"Third Finger, Left Hand" (M-G-M)
BOYD — (2,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $13,600. (Average, $13,000)

"Hit Parade of 1941" (Rep.)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including Gene Krupa's orchestra, Ray Bolger and Sunny O'Dea. Gross: $24,000. (Average, $14,000)

"Glamour for Sale" (Col.)
FAY'S — (2,190) (15c-29c-35c-46c-57c) 7 days with vaudeville including Jean Carroll, Annette, Fanny & Kitty Watson, Olyn Landrick, Chester Fredericks & Gloria Lane, and Herman Timberg, Jr., & Pat Rooney, Jr. Gross: $6,800. (Average, $6,900)

"Spring Parade" (Univ.)
FOX—(3,000) (35c-41c-46c-57c-68c) 6 days, 2nd week. Gross: $10,400. (Average, $13,000)

"Angels Over Broadway" (Col.)
KARLTON — (1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,700. (Average, $3,000)

"Down Argentine Way" (20th-Fox)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,400. (Average, $4,500)

"Hired Wife" (Univ.)
STANLEY — (3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $13,300. (Average, $14,000)

"Rangers of Fortune" (Para.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $5,700. (Average, $4,500)

'Rhythm' St. Louis Best With $13,000

ST. LOUIS, Nov. 6.—"Rhythm on the River" and "Angels Over Broadway" at the Fox drew $13,000 in a week of generally slow business. The Presidential candidates on the air also hurt grosses.

Estimated takings for the week ending Oct. 31:

"Wyoming" (M-G-M)
"Dr. Kildare Goes Home" (M-G-M)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 6 days. Gross: $10,000. (Average, 7 days, $13,000)

"Down Argentine Way" (20th-Fox)
"I Want a Divorce" (Para.)
MISSOURI — (3,514) (28c-39c-44c-56c) 7 days. Gross: $5,400. (Average, $4,000)

"Rhythm on the River" (Para.)
"Angels Over Broadway" (RKO)
FOX—(5,038) (28c-39c-44c-56c) 9 days. Gross: $13,000. (Average, 7 days, $11,000)

"They Knew What They Wanted" (RKO)
"Mexican Spitfire Out West"
AMBASSADOR — (3,018) (28c-39c-44c-56c) 6 days. Gross: $8,500. (Average, 7 days, $11,500)

"The Sea Hawk" (W. B.)
"Margie" (Univ.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $3,000. (Average, $2,500)

Park to Address Club

William C. Park of Paramount News, who wrote and documented "The World in Flames," and Lewis Buddy, Jr., continental European chief for the newsreel, will address the Paramount Pep Club class in vocational advancement on Nov. 12.

Budget Is Cut To $490,000 On Arbitration

(*Continued from page 1*)

any time prior to the appointment of an arbitrator."

Government attorneys said yesterday that all individuals, officers and directors of defendant companies, will be eliminated as defendants in the amended complaint which it plans to file against Universal, Columbia and United Artists in the near future.

The Government spokesman explained that the Government is not seeking relief against individuals, but rather against distribution companies whose officers, directors and employes would be bound in any event if a judgment was obtained against the companies. The 65-page complaint also will name the five consenting companies but they will be eliminated as defendants when the decree is approved.

Government spokesmen gave no indication of when they expect to file the amended complaint, but an application for leave to file it is expected to be made to Judge Goddard at the hearing scheduled for next Thursday.

'Deb,' Maxwell Unit $20,000 in Detroit

DETROIT, Nov. 6.—The Fox grossed $20,000 with "Public Deb No. 1" and the personal appearance of its star Elsa Maxwell and her troupe. Elsewhere business was slow.

Estimated takings for the week ending Oct. 31:

"Down Argentine Way" (20th-Fox)
"Diamond Frontier" (Univ.)
ADAMS—(1,600) (15c-50c) 7 days. Gross: $5,000. (Average, $5,000)
"Strange Cargo" (M-G-M)
"Ladies Must Live" (W.B.)
FISHER—(2,700) (15c-50c) 7 days. Gross: $5,800. (Average, $7,000)
"Public Deb No. 1" (20th-Fox)
FOX—(5,000) (15c-55c-65c) 7 days. On stage: Elsa Maxwell and troupe; Shyretto Trio, Staples & Company, Maurice & Betty Wheaton. Gross: $20,000. (Average, $15,000)
"The Westerner" (U.A.)
"Dancing On a Dime" (Para.)
MICHIGAN—(4,000) (15c-55c-65c) 7 days. Gross: $12,000. (Average, $12,000)
"The Ramparts We Watch" (RKO)
"Queen of the Yukon" (Mono.)
PALMS—(2,700) (25c-39c-55c) 7 days. Gross: $6,500. (Average, $7,000)
"Third Finger Left Hand" (M-G-M)
"Dulcy" (M-G-M)
UNITED ARTISTS—(2,000) (20c-50c) 7 days. Gross: $7,500. (Average, $10,000)

'Finger' at $11,000 In Baltimore Slump

BALTIMORE, Nov. 6.—The election campaign and two holdovers held business down. At the Century "Third Finger, Left Hand" drew $11,000 in six days.

Estimated takings for the week ending Oct. 31:

"Third Finger, Left Hand" (M-G-M)
CENTURY—(3,000) (15c-28c-44c) 6 days. Gross: $11,000. (Average, $10,000)
"Pastor Hall" (U. A.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $7,500. (Average, $9,000)
"Hit Parade of 1941" (Rep.)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $6,000. (Average, $7,000)
"Knute Rockne—All American" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days, 2nd week. Gross: $9,000. (Average, $12,000)
"They Knew What They Wanted" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. "Variety Hit Parade" on stage. Gross: $11,000. (Average, $14,000)

'Beverly Hills' to Premiere Tonight

"Beverly Hills," a new play about Hollywood by Lynn Starling and Howard J. Green, will be presented at the Fulton tonight by Laurence Schwab and Otto L. Preminger. Ilka Chase, Violet Heming and Helen Claire head the cast. Charles Washburn is director of advertising and publicity for the show.

'Boys,' Stage Show $13,800 in Buffalo

BUFFALO, Nov. 6.—"Boys of the City," with a stage show, "The Hollywood Hotel Revue" at the Twentieth Century, grossed $13,800. "Angels Over Broadway" and "Military Academy" at the Lafayette scored $9,000.

Estimated takings for the week ending Nov. 2:

"Third Finger, Left Hand" (M-G-M)
BUFFALO—(3,489) (35c-40c-60c) 7 days. Maurice Nicholson, organist, with Meyer Balsom, baritone. Gross: $11,700. (Average, $12,000)
"A Dispatch From Reuter's" (W.B.)
"Hold That Woman" (Prod. Rel. Corp.)
GREAT LAKES—(3,000) (35c-55c) 6 days. Gross: $4,400. (Average, $7,500)
"Brigham Young—Frontiersman" (20th-Fox)
"The Great Profile" (20th-Fox)
HIPPODROME—(2,100) (35c-50c) 7 days. Gross: $5,900. (Average, $6,800)
"Boys of the City" (Mono.)
TWENTIETH CENTURY—(3,000) (30c-35c-44c) 7 days. The Hollywood Hotel Revue on stage, with the Diamonds & Rosita Royce, Bobby Morris, etc. Gross: $13,800. (Average, $7,500)
"Angels Over Broadway" (Col.)
"Military Academy" (Col.)
LAFAYETTE—(3,000) (30c-40c) 7 days. Gross: $9,000. (Average, $6,300)

'Police' at $13,600 Strong in Montreal

MONTREAL, Nov. 6.—"North West Mounted Police" registered in a good week with $13,600 at Loew's. "Third Finger, Left Hand" grossed $10,300 at the Palace.

Estimated takings for the week ending Nov. 1:

"Pastor Hall" (U.A.)
"Slightly Tempted" (Univ.)
CAPITOL — (2,547) (25c-40c-55c-65c) 7 days. Gross: $6,900. (Average, $8,000)
"North West Mounted Police" (Para.)
LOEW'S—(2,800) (30c-40c-60c) 7 days. Gross: $13,600. (Average, $8,000)
"Hit Parade of 1941" (Rep.)
"Girl From God's Country" (Rep.)
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $3,900. (Average, $5,000)
"Third Finger, Left Hand" (M-G-M)
PALACE — (2,600) (25c-40c-55c-65c) 7 days. Gross: $10,300. (Average, $9,000)
"Knute Rockne—All American" (W.B.)
"Father Is a Prince" (W.B.)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $4,300. (Average, $4,500)

'Argentine' Scores Big $9,400 in Omaha

OMAHA, Nov. 6.—"Down Argentine Way" took $9,400 at the Orpheum. The weather was cool and rainy.

Estimated takings for the week ending Oct. 30-31:

"Hit Parade of 1941" (Rep.)
"Laddie" (RKO)
BRANDIES—(1,200) (30c-40c-44c) 7 days. Gross: $4,600. (Average, $4,000)
"Third Finger, Left Hand" (M-G-M)
"One Million B. C." (U. A.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $7,300. (Average, $6,000)
"Down Argentine Way" (20th-Fox)
"Calling All Husbands" (W.B.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $9,400. (Average, $7,200)

'Police' at $14,500 Providence Smash

PROVIDENCE, Nov. 6.—"North West Mounted Police," playing the Strand at advanced prices with "Girl From Havana," brought $14,500.

Estimated takings for the week ending Oct. 30-31:

"They Knew What They Wanted" (RKO)
"Pop Always Pays" (RKO)
RKO - ALBEE — (2,239) (28c-39c-50c) 7 days, 2nd week. Gross: $4,000. (Average, $6,000)
"Dr. Kildare Goes Home" (M-G-M)
"Haunted Honeymoon" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $8,000. (Average, $11,000)
"Down Argentine Way" (20th-Fox)
"The Great Profile" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $6,800. (Average, $7,000)
"North West Mounted Police" (Para.)
"Girl From Havana" (Rep.)
STRAND—(2,200) (35c-50c-65c) 7 days. Gross: $14,500. (Average, $6,000)
"Drums of the Desert" (Mono.)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with Three Stooges, Ciro Rimac orchestra, Vilma and Buddy Ebsen. Gross: $4,000. (Average, $7,000)
"Hell's Angels" (U.A.) (Revival)
"Triple Justice" (RKO)
FAY'S — (1,800) (15c-28c-39c) 7 days. Gross: $2,700. (Average, $2,500)
"The Baker's Wife" (Foreign)
AVON—(520) (35c-50c) 7 days. Gross: $1,600. (Average, $1,200)
"Knute Rockne—All American" (W.B.)
"Pier 13" (20th-Fox)
CARLTON—(1,526) (28c-39c-50c) 7 days, 3rd week. Gross: $3,500. (Average, $3,500)
"Ramparts We Watch" (RKO) (3 days)
"I Want a Divorce" (Para.) (3 days)
"Foreign Correspondent" (U.A.) (4 days)
"Rangers of Fortune" (Para.) (4 days)
EMPIRE — (2,200) (20c-28c) 2nd run. Gross: $1,700. (Average, $1,700)

'Finger' Cleveland Winner at $13,000

CLEVELAND, Nov. 6.—"Third Finger, Left Hand" was the leader here, grossing $13,000 at Loew's State. George Jessel's Hollywood Revue aided "A Dispatch from Reuters" in attracting $15,000 at RKO Palace.

Estimated takings for the week ending Oct. 31:

"City for Conquest" (W.B.)
ALLEN — (3,000) (33c-39c-47c) 7 days. Gross: $2,500. (Average, $4,000)
"Knute Rockne—All American" (W.B.)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $12,500. (Average, $11,000)
"Ladies Must Live" (W.B.)
"Military Academy" (Col.)
LAKE—(900) (28c-40c) 7 days. Gross: $800. (Average, $1,500)
"A Dispatch from Reuters" (W.B.)
RKO PALACE — (3,100) (33c-47c-55c) George Jessel's "Hollywood Revue" on stage. 7 days. Gross: $15,000. (Average, $13,500)
"Third Finger, Left Hand" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $13,000. (Average, $11,000)
"Kit Carson" (U.A.)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days. Gross: $5,000. (Average, $4,000)

'Christmas' $4,500 Best in New Haven

NEW HAVEN, Nov. 6.—The Paramount led with "Christmas in July" and "The Quarterback," taking $4,500. All other houses were under the line.

Estimated takings for the week ending Oct. 31:

"Walt Disney Festival" (RKO)
"Scatterbrain" (Repub.)
COLLEGE—(1,499) (28c-39c) 7 days. Gross: $2,300. (Average, $2,700)
"They Knew What They Wanted" (RKO)
"Yesterday's Heroes" (20th-Fox)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $6,500. (Average, $8,000)
"Christmas in July" (Para.)
"The Quarterback" (Para.)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $4,500. (Average, $4,000)
"Dispatch from Reuters" (W. B.)
"I'm Nobody's Sweetheart Now" (Univ.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $4,100. (Average, $5,000)

Sunday Shows Approved by 44 Pa. Towns

(*Continued from page 1*)

day pictures and rejected the plan yesterday for the second time include: Wilkinsburg, Butler, Downingtown, Phoenixville, Westchester, Berwick, Muncy, Jersey Shore, Williamsport, Norristown, Shamokin, Sunbury, Lewisburg, Greensburg and Latrobe.

The returns show no important cities which voted to reject Sunday films after having had them in the last five years.

Four communities in Luzerne County voted for Sunday films despite vigorous opposition from church groups.

The affirmative vote in Conyngham Township probably will mean that the town's first theatre will be erected. Also in Luzerne County, Hazleton, White Haven and West Hazleton, which voted against Sunday shows in 1935, reversed their stand.

Rhode Island Town Approves

SMITHFIELD, R. I., Nov. 6.—Voters here yesterday approved Sunday films in a town referendum by a vote of 615 to 476.

'Westerner' $15,000 Leader in Cincinnati

CINCINNATI, Nov. 6. — "The Westerner," with $15,000 at the RKO Albee, was the only picture to get above average. "Knute Rockne—All American" did $5,000 in the second week at the RKO Grand. The weather was warm.

Estimated takings for the week ending Nov. 1:

"The Westerner" (U.A.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $15,000. (Average, $12,000)
"Moon Over Burma" (Para.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $5,400. (Average, $10,000)
"The World in Flames" (Para.)
"The Quarterback" (Para.)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days. Gross: $2,400. (Average, $5,000)
"Rhythm on the River" (Para.)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $3,500. (Average, $5,500)
"Knute Rockne—All American" (W.B.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $5,000.
"Strike Up the Band" (M-G-M)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 4th week. Gross: $3,900. (Average, $4,500)
"River's End" (W.B.)
"Sing, Dance, Plenty Hot" (Rep.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"The Range Busters" (Mono.)
"Yesterday's Heroes" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)
"Christmas in July" (Para.)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $2,900. (Average, $5,000)

Weiser to Los Angeles

KANSAS CITY, Nov. 6. — Martin Weiser, Warner exploitation man for this territory, has returned to Los Angeles in the same capacity. The position here has not yet been filled by Monroe Rubinger, exploitation head in Chicago.

Donahue Joins RKO

PHILADELPHIA, Nov. 6. — Charles Donahue, veteran booker here, last with Producers Releasing Corp., joined the local RKO exchange as booker.

FAME

The Audit of Personalities

SIXTH ANNUAL EDITION
OF THE INDUSTRY'S INTERNATIONAL
REFERENCE AUTHORITY ON TALENT
VALUES IS NOW IN PREPARATION
BY THE WORLD-WIDE STAFF OF
QUIGLEY PUBLICATIONS • • •

EDITED BY TERRY RAMSAYE

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK

Mutual's October Billings Up 83%

Gross billings on Mutual rose 83 per cent during October over the same month last year. The total, $784,676, compared with $428,221 for October, 1939.

Political billings during the month were $172,882, and even if this figure were deducted from the total Mutual would still show an increase of 42.9 per cent. Cumulatively for the first 10 months, gross billings on the network were $3,562,509, up 32.7 over the same period last year.

Including October, the total political business for the year on Mutual, up to Oct. 31, was $182,674.

CBS 39-Week Net Off to $3,331,786

CBS earnings for the first 39 weeks of 1940, ending Sept. 28, dropped to $3,331,786 from $3,432,955 for the same period last year, after all deductions including excess profit taxes. The latter tax, together with the rise in the normal tax rate, accounted for additional expenditures of almost $1,000,000, with Federal income and excess profits taxes rising from $791,354 for the first 39 weeks of 1939 to $1,753,172 during the same period this year.

Earnings for the period amounted to $1.94 on each of 1,716,277 shares of $2.50 value. The board of directors yesterday declared a dividend of 65 cents per share on present A and B stock, payable Dec. 6 to stockholders of record Nov. 22.

Canada Station Shut As CBC Refuses Aid

TORONTO, Nov. 6.—The plea of the privately-owned broadcasting station at Revelstoke for assistance from the Canadian Broadcasting Corp. in the form of a share of commercial programs fell on deaf ears with the result that the small studio closed down permanently.

In short order, the CBC engineers installed a 20-watt transmitter in the isolated town and the equipment was hooked up with the repeater station of the C. P. R. telegraph service in Revelstoke which handles all CBC network programs through its land wires. The private enterprise has been eliminated and the fans get all the CBC broadcasts at Government expense.

Actors Guild Plans Extras Referendum

HOLLYWOOD, Nov. 6.—The Screen Actors Guild board of directors announced today it will shortly hold a referendum among extra players on recommendations of the extras' standing committee to limit the numbers of extras, establish a system of priority of calls for more experienced players and center all extra casting in the Central Casting Corp.

Reopen Manhattan House

The Regun, 60 W. 116th St., Manhattan, has been reopened by Samuel Friedman and Minna Sturtz.

Off the Antenna

RADIO during the campaign just ended again demonstrated itself as the best medium for the dissemination of political information. As in 1936, newspapers for the most part were on one side but the electorate learned to turn to radio for both sides of the argument. As for the election returns themselves, the radio proved unsurpassed for quick and conclusive results.

• • •

Purely Personal: *Red Barber, Stan Lomax, Sam Taub, Bill Stern, Bob Carter, Mel Allen and about* 150 *school boy athletes were on hand yesterday at WNEW studios for the launching of the first sports program devoted to high school athletics. . . . Ford Bond celebrates his* 10*th anniversary as announcer for "Cities Service Concert Hour" over NBC-Red tomorrow at* 8 *P.M. . . . Raymond Massey will be guest of Kate Smith over CBS tomorrow evening at* 8 *P.M. . . . Myrna Loy, Charles Boyer and Lionel Atwill will be guests on "Screen Guild Theatre" over CBS Sunday at* 7:30 *P.M. . . . Robert S. Playfair has been appointed station and sales promotion director for the Yankee Network. . . . Earl McGill handled the production end of the "United We Stand" Council for Democracy rally over CBS last night.*

• • •

The Army has questioned the use of its camps as the origination point for sponsored programs because of the possibility that the public may imply an endorsement of the sponsored product. Accordingly, Parks Johnson, of the "Vox Pop" show tonight over CBS will make a preliminary announcement: "In accordance with Washington regulations our fun and entertainment tonight does not constitute an official U. S. Army endorsement of our product." Penn Tobacco sponsors "Vox Pop."

• • •

NBC's television station was on from 6:45 P.M. to 1 A.M. with election returns. Among the host of announcers and commentators who faced the iconoscope was the man who announced returns over KDKA in 1920, Leo Rosenberg, now a Lord & Thomas vice-president. It was the Associated Press newsprinter, however, which was the hit of the show. The ticking off of each story had a dramatic effect which captured attention. DuMont was on the air, too, and also employed a news ticker, although the latter was on a tape. NBC supplemented the news service with charts and visual devices such as stacks of chips and elephant and donkey cutouts.

• • •

Program News: *"America's Town Meeting of the Air" returns to NBC-Blue for the sixth year tonight at* 9:35 *P.M. . . . WNEW will broadcast the Musicians Union, Local* 802, *benefit Monday, Nov.* 18 *exclusively. Every name band in the city will be heard on the show, it is planned, from* 10 *P.M. to* 6 *A.M. without interruption. . . . Russell Bennett will inaugurate a new show, "Russell Bennett's Notebook" over Mutual Sunday, Nov.* 17, *at* 7 *P.M.*

• • •

"Life With Father," which makes its first anniversary at the Empire tomorrow, will celebrate on Saturday when the "Barn Dance" will air a three-way telephone conversation between three fathers and mothers over NBC.

• • •

WOR yesterday refused comment in answer to newspaper inquiries concerning Gen. Hugh Johnson's speech Monday night. It was pointed out, however, that under the Communications Act, a radio station is not permitted to censor a political speech. In addition, it was said, General Johnson actually submitted the speech for inspection prior to the broadcast but there was nothing in the script to indicate anything objectionable. The subsequent interpolation of a dialect may have made the speech objectionable, it was said, but there was no way for the station to know that in advance or for it to do anything if it did.

Theatre Changes

New Key West House to Open

MIAMI, Nov. 6.—The new Strand, with a seating capacity of 890, will open shortly in Key West. The house was built on the site of an old theatre that burned several years ago. City Councilman John Carbonell of Key West controls the theatre.

Form Theatre Company

RICHMOND, Nov. 6.—Motor Theatre Corp. of Norfolk has been chartered with maximum capital of $15,000 to conduct a theatrical business. A. E. Lichtman of Washington is president.

Atlanta Theatre Opens

ATLANTA, Nov. 6.—The Peachtree Theatre, Atlanta's newest house, has opened.

Hamrick Closes Blue Mouse

SEATTLE, Nov. 6.—John Hamrick, has closed the Blue Mouse, formerly operated as an extended run house for pictures moved from the first run Fifth Avenue and Paramount theatres. The house will reopen under a new policy, but no date has been set.

Open Louisiana House

NEW ORLEANS, Nov. 6.—A new theatre has been opened by United Theatres, Inc., in Algiers, La. David Rombach is manager of the new house, called the "Algy."

Reopening Kansas Theatre

KANSAS CITY, Nov. 6. — The Wakefield Theatre, Wakefield, Kan., formerly operated by F. J. Dodson, but which has been dark, is being reopened by Raymond Winch.

Short Subject Reviews

"Utopia of Death"

(M-G-M)

An incredible story about the Seri Indians on Tiburon Island in the Pacific is told by John Nesbitt in this latest "Passing Parade" short. The film, said to be the first ever taken of the race, was photographed during a Harold Austin expedition. The island, Nesbitt recounts, was actually a utopia for the inhabitants' ancestors, but the resources soon dwindled. The race has now vowed that no more of its children shall enter into the world and soon will be extinct. The subject is absorbing. Running time, 10 mins.

"The Green Archer"

(Columbia)

Edgar Wallace's highly imaginative tale has been converted into serial form with Victor Jory, Iris Meredith, James Craven and Robert Fiske playing the principal parts under the direction of James W. Horne. The incredible story of "The Green Archer" doubtless has thrilled innumerable readers since it was written years ago. As a film its extremely melodramatic nature limits its appeal to children. The first episode is 32 minutes and the following 14 will be about 20 minutes each.

"Goin' Fishin'"

(M-G-M)

The members of "Our Gang" run into difficulty as they attempt a fishing expedition before dawn. The comedy is typical of the previous "Gang" shorts. The boys are first awakened when sleeping in the street by a tough cop and then have trouble boarding a bus. After much ado they leave the bus and go home. Running time, 10 mins.

"Quicker'n a Wink"

(M-G-M)

Stroboscopic photography, the newest development in motion pictures, is demonstrated in this Pete Smith "Specialty." As recorded by the stroboscopic camera, a bullet traveling from gun to target and other similar actions are seen vividly. The subject matter is interesting and Smith's commentary is witty. Running time, 9 mins.

"Waldo's Last Stand"

(M-G-M)

Waldo's stand is for lemonade selling, but there are no sales. Our Gang undertakes to promote business and offers a floor show to the customers. It is staged with a group of youngsters when it is discovered that all the kids from the neighborhood are in the show. This should appeal to children. Running time, 11 mins.

"Old New Mexico"

(FitzPatrick-M-G-M)

Another in the "See America" series, James FitzPatrick has skillfully filmed the desert country in New Mexico and its Indian inhabitants. The history of the people as recited by FitzPatrick is fascinating, adding considerably to the interest. The color photography is exceptionally good. Running time, 9 mins.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 92 NEW YORK, U. S. A., FRIDAY, NOVEMBER 8, 1940 TEN CENTS

Strong Fight By Exhibitors Seen on Decree

MPTOA May Not Oppose Pact in U. S. Court

Several exhibitor organizations are preparing a strong fight against the Federal consent decree at the hearing scheduled before Judge Henry W. Goddard in U. S. District Court here next Thursday.

The national M.P.T.O.A. may not enter a formal protest at the hearing. But this will not preclude its affiliated regional units from doing so. One of these, Allied Theatre Owners of New York, headed by Max A. Cohen, will be in the vanguard of the opposition, and other regional units are expected to join.

Whether the M.P.T.O.A. as a national organization will enter its objection will be decided when Ed Kuykendall, president, arrives here early next week.

Failure to oppose the decree in court would not signify any weakening of the M.P.T.O.A.'s stand but would, rather, signalize a different

(*Continued on page 4*)

'Escape' $102,000 At the Music Hall

Broadway first run business recovered briskly in the past two days after the pre-election let down. "Escape" with a stage show grossed an estimated $102,000 at Radio City Music Hall for the first week and is held over.

A strong stage show, headed by Sophie Tucker, Harry Richman and

(*Continued on page 4*)

Baltimore Defeats Daylight Time Plan

Baltimore, Nov. 7.—An attempt to bring daylight saving time here was defeated in the election Tuesday. Theatre managers played an active part in the campaign against the measure. They flashed anti-daylight saving messages on the screens and some of them distributed literature to patrons entering the theatres.

Royal Family Sees Short on Bombing

London, Nov. 7.—The British Ministry of Information short subject, "London Can Take It," already shown in 4,600 theatres in England, was screened tonight by Royal request at Windsor Castle. The subject is currently being released in the United States by Warners.

Delay Sunday Shows' Start Until Nov. 17

First test of Sunday legitimate stage shows has been postponed to Nov. 17, although "Tobacco Road" will give a Sunday performance the day after tomorrow. The reason for the postponement is that a day off during the week must be given and ticket sales would be complicated if Sunday shows were started immediately.

Since the approval of Sunday shows was given on an experimental basis only by Actors Equity, grosses and the reaction of performers will be watched closely. Many actors who have opposed Sunday shows believe that there will be no appreciable difference between the weekday grosses and the Sunday take.

This is expected to be particularly true if the stagehands insist that all shows close on Monday nights. The League of New York Theatres is hopeful of arranging a staggered

(*Continued on page 6*)

TICKET TAX RISE FORESEEN AS U. S. SEEKS NEW FUNDS

Amusement Field Called Good Source of Revenue, as Recent Exemption Cut Adds $3,000,000 Monthly

By BERTRAM F. LINZ

WASHINGTON, Nov. 7.—The possibility of an increase in the rate of the Federal admission tax was seen here today, as Secretary of the Treasury Morgenthau disclosed plans to ask Congress for additional taxes. He also indicated that he plans to seek an increase of possibly as much as $16,000,000,000 in the national debt limit to help finance the defense program through the next 20 months.

It was pointed out in informed quarters that the reduction four months ago of the Federal admission tax exemption from 40 to 20 cents, which is bringing in nearly $3,000,000 a month more than was collected formerly, has shown the amusement field to be a possible important source of revenue which could be more intensively exploited.

Treasury borrowing has brought the public debt so close to the limit that the Administration may ask new legislation during the current session, rather than face the delay which would be caused by deferring action until the new Congress meets in January.

Secretary Morgenthau revealed only the broad outline of his financing plans and did not go into detail as to where the additional tax revenue would come from. In informed circles, however, it was said that the pressure for additional revenue may

(*Continued on page 4*)

Lipton Named Col. Advertising Head

David Lipton, Universal studio publicity manager, has been appointed advertising and publicity manager for Columbia, succeeding Maurice Bergman, who recently resigned the post, effective Dec. 2.

Lipton, who has been here for the past several days conferring with Columbia home office officials, left for the Coast last night to wind up his affairs at the Universal studio preparatory to taking over his new post. En route west, he will stop over in Chicago for a day.

He was associated with Balaban & Katz in Chicago in publicity capaci-

(*Continued on page 4*)

Television to Be Discussed At Para. Officials' Meeting

The future for television and its relation to the film and theatre world will be discussed by Paul Raibourn, Paramount home office executive in charge of its television activities, at the Hollywood meeting next week of Paramount studio, home office and theatre operating officials.

Raibourn will leave for the Coast tonight with other Paramount home office executives to attend the meeting which opens at the studio Monday. Others who will attend include Barney Balaban, Stanton Griffis, Neil Agnew, Russell Holman, Y. Frank Freeman, Adolph Zukor, Leon Netter, Robert Weitman, Sam Dembow, Leonard Goldenson, M. A. Lightman, Bob O'Donnell, M. J. Mullin, Sam Pinanski, Earl Hudson, J. J. Fitzgibbons, John Balaban and Ralph Branton.

Paramount's production plans for the 1941-'42 season, theatre operating problems and the consent decree also will be discussed at the Coast meeting. The Paramount theatre executives and associates will hold a two-day meeting in Chicago beginning today before leaving for Hollywood. Balaban arrived on the Coast yesterday.

Reaffirm Pact to Drop 'Star' Rating

The "gentleman's agreement" to refrain from using star and other symbol awards employed by film critics in picture and theatre advertising was reaffirmed yesterday by advertising and publicity directors of seven major companies at a meeting at M.P.P.D.A. headquarters.

Robert M. Gillham, advertising and publicity director of Paramount, is out of town. No commitment therefore was received from Paramount on the agreement and, despite the reaffirmation by the seven companies, the

(*Continued on page 6*)

Say It Isn't So

Cincinnati, Nov. 7

NORTHERN Kentuckians who take their state seriously, and resent derogatory comparisons, were startled to see this advertising for a feature playing a theatre at nearby Newport, Ky.:

"Maryland"
Greater than "Kentucky."

Carlos Israels to Utility Legal Staff

Attorney Carlos Israels, who has been counsel for the independent bondholders' group in the RKO reorganization proceedings and also represented the Roxy Theatre bondholders as counsel in that reorganization proceeding, yesterday was appointed by Federal Judge Vincent Leibell to the legal staff of the trustees of the Associated Gas and Electric Corp. Israels is resigning from the law firm of White & Case, and hereafter will make his headquarters at the trustees' offices of the A.G.E.C.

In making the appointment, Judge Leibell pointed to the brilliant record made by Israels in college and law school and his successful record and experience in important reorganization cases such as above mentioned.

'U' Employes Donate $30,590 to L.A. Fund

HOLLYWOOD, Nov. 7.—Universal, the first studio reporting, today disclosed 100 per cent employe contribution to the Los Angeles Community Chest campaign, with $30,590 collected. This is more than a 125 per cent increase over the studio's 1939 contribution, according to Deanna Durbin, Joseph Pasternak and A. McCausland, campaign leaders. The Universal drive was completed in two and one-half days, setting a record.

Fear Wins $50,000 Verdict from Metro

LOS ANGELES, Nov. 7.—A jury in Federal Court late last night awarded Ralph Gordon Fear, inventor of a laboratory process, $50,000 damages against M-G-M for alleged violation of a contract under which the company was to have the use of the process for its own pictures only.

Lindy's INC.

RESTAURANTS

1626 BROADWAY 1655

(Next to the Rivoli Theatre) (51st Street Corner)

For over 20 years the luncheon and dinner place for Motion Picture People

Sole agents in New York for FAMOUS

BLUM'S ALMONDETTES

from

San Francisco, California

Personal Mention

LYNN FARNOL, United Artists advertising and publicity director, left for the Coast by plane last night after having missed the night plane on Wednesday.

•

JOHN MORONEY, Interstate Circuit counsel, will arrive from Dallas on Tuesday.

•

MORRIS KINZLER, SAM SHAIN, IRVING SHAPIRO, FRED SCHWARTZ, ARTHUR SILVERSTONE, EMANUEL SILVERSTONE, DAN FRANKEL, MORRIS HELPRIN, ALBERT MARGOLIES, HARRY KOZINER, SAM RINZLER, WALTER READE, JR., DAVID GRIESDORF, MR. and MRS. MEYER BECK, JOSEPH SPRINGER and ROBERT WOLFF lunching at Lindy's (next to the Rivoli) yesterday.

•

GLADYS MENSCH, Hollywood aide to KAY KAMEN, will arrive here over the weekend.

•

IRVING MARTIN, publicist at the Stanley, Baltimore, has recovered from influenza.

•

ARTHUR FREED and JOHN W. CONSIDINE, M-G-M producers, are en route to the Coast after vacations here.

•

EMIL BOREO leaves for Miami soon.

JOHN JOSEPH, Universal advertising and publicity director, will arrive from the Coast next week for a home office visit.

•

MICHAEL HILLMAN, owner of the Duchess Theatre, London, is in town.

•

NATE SPINGOLD, HAL HORNE and JOSEPH MOSKOWITZ at Lindy's (51st St.) yesterday for lunch.

•

LEO SPITZ lunching with HARRY HOPKINS, former U. S. Secretary of Commerce, at the Plaza Grill yesterday.

•

MAURICE SILVERSTONE, ARTHUR KELLY, GEORGE WOOD and I. E. LOPERT lunching yesterday at the Tavern.

•

DAN MICHALOVE, MILTON KUSELL, JACK BOWEN, HARRY L. GOLD, M. A. SCHLESINGER, HARRY BRANDT, WILLIAM ORR and GEORGE SKOURAS having lunch yesterday at Nick's Hunting Room in the Astor.

•

J. ROBERT RUBIN, MONROE GREENTHAL, JOHN D. HERTZ, JR., LEONARD GOLDENSON, JOHN BYRAM, AL RICHARD, ARTHUR MAYER, DAVE BLUM, GUY BOLTON, LEE SHUBERT, JOHN GOLDEN and ARTHUR KRIM at Sardi's yesterday for lunch.

Leo Spitz Departs For Hollywood Soon

Leo Spitz, former RKO president and head of the Chicago law firm of Spitz and Adcock, leaves for Chicago today, where he will stay until Monday. From there he will leave for Hollywood on business, probably remaining on the Coast about 10 days.

Posen to Ask Quiz Of Eastman Heads

Samuel I. Posen, director and plaintiff in a stockholders' suit against Universal and a number of other defendants will apply today to N. Y. Supreme Court Justice Isidore Wasservogel for an order directing the officers of Eastman Kodak Co. to appear for examination before trial.

Sunday Bans Rescinded By 47 Communities in Pa.

HARRISBURG, Pa., Nov. 7.—Forty-seven communities in Pennsylvania rescinded existing bans against Sunday films, while 87 cities, boroughs and townships voted against lowering the bars against Sabbath pictures, a final and conclusive tabulation of Tuesday's referenda indicated.

Following the voting, Rev. William B. Forney, secretary of the Lord's Day Alliance, leader of the fight in the state against Sunday films, declared his group now proposes to go after 167 additional communities next year, including Philadelphia. He said the move for a 1941 referendum would be made at once.

In the wake of an intensive campaign with theatre managers and religious groups heading the opposing forces on the question, advocates of Sunday films this year scored major gains in winning such large cities as Allentown, Bethlehem, Hazleton, Lancaster, Lebanon and Johnstown.

The Sunday show proposal was defeated in Harrisburg, Altoona, Pottsville, Williamsport, Greensburg and numerous upstate college towns.

Ampa Will Ballot on Constitution Change

Ampa members within the next few days will get recommendations of the committee on revision of the constitution for a vote, it was decided at a closed meeting at the Hotel Edison yesterday.

A resolution was passed urging the Variety Clubs to establish a chapter here, and a letter was sent by Leon Bamberger, Ampa president, to John Harris, national Variety Clubs head, promising Ampa cooperation. Eli Sugarman was added to the welfare committee, of which Paul Lazarus is chairman, and relief plans were discussed.

A plaque will be presented tonight to the company producing the best picture from a novel, the award made jointly by the Ampa and the Book and Magazine Guild. At the next regular meeting of the Ampa, next Thursday at the Edison, the chief speaker will be Edgar Kobak, vice-president of NBC, who will talk on "You're in Show Business, Too."

Newsreel Parade

THE reelection of President Roosevelt for a third term naturally is the leading item of news in the current weekend issues of all newsreels. Sharing a small portion of the spotlight is the crash of an airliner in the mountains of Utah, with a death toll of 10, the arrival of Ignace Paderewski in this country, and the usual complement of gridiron highlights. War news is vague and inconclusive. The reels' contents:

MOVIETONE NEWS, No. 18—Roosevelt reelected War flashes from Australia, Africa and England. Child refugees in Australia. Monster guns built in England. New dance introduced in Chicago. Beach fashions for the South. Tennessee-Louisiana football game. Skiing at Ranier National Park.

NEWS OF THE DAY, No. 216—President Roosevelt reelected. Willkie calls for national unity. Britain's workers defy raids. Missing airliner found in Utah with 10 dead. Stanford-U.C.L.A. gridiron battle. Amateur boxers compete for diamond belt.

PARAMOUNT NEWS, No. 21—Election extra. Willkie's statement. Futurity race at Pimlico track in Baltimore. Preview of skiing in Oregon mountains. British tighten hold on Suez. Ten die in plane crash in Utah mountains. Paderewski here to aid cause of Poland.

RKO PATHE NEWS, No. 21—Roosevelt is reelected. Paderewski arrives to establish home in the United States. Chemical company blaze rages in Newark. Former U. S. destroyers see service for England. Ski season opens in Northwest. Mioland takes handicap race at Empire City track. Alabama and Tulane football game.

UNIVERSAL NEWSREEL, No. 926—Roosevelt wins third term. Paderewski, 80, arrives in the United States. Chemical plant fire in Newark. Ten die as airliner crashes in mountains of Utah. Skiiers flock to snowy peaks of the Northwest. Detroit hockey stars win.

Party for 'Night of Stars' Show Groups

Nathan Straus, chairman of the "Night of Stars" show to be held at Madison Square Garden Nov. 27 for refugee relief, will be host Monday at a cocktail party at the Hotel Astor to the producing committee and others working on the show. More than 100 are expected to attend.

Straus will be presented the original painting by David Lax of the cover design for the United Palestine Appeal year book which will be issued in conjunction with the show. Marvin Schenck, of Loew's, chairman of the producing committee, and Mrs. Roger W. Straus, chairman of the Women's Division, will speak.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

THE YEAR'S NUMBER 1 BOX OFFICE TEAM!



Paramount Producer Arthur Hornblow, Jr. and Paramount Director Mitchell Leisen, creators of this great Paramount Four Star Box Office Triumph.

Paramount's "Arise, My Love" tops everything for the year including record "Road to Singapore" and "Buck Benny" business with three smash weeks* at the New York Paramount. Climbs above sensational "Buck Benny" grosses in 10 other Keys from Coast to Coast.

*"Arise, My Love" could have stayed indefinitely at N. Y. Paramount had not Paramount's huge Cecil B. DeMille epic "North West Mounted Police" been booked to start its New York record-breaking run on Wednesday.

"ARISE, MY LOVE"



Claudette Colbert Ray Milland

with WALTER ABEL • Directed by MITCHELL LEISEN • Screen Play by Charles Brackett and Billy Wilder
Adaptation by Jacques Thery Of An Original Story by Benjamin Glazer and John S. Toldy • A Paramount Picture

Strong Fight By Exhibitors Seen on Decree

(Continued from page 1)

strategy of the organization's attack, authorities stated yesterday.

The same possibility has been suggested in connection with the procedure of Paramount theatre associates in opposition to the decree. It is believed that the Paramount theatre men, who were the first to attack the decree, will not actively oppose it in court, despite the fact that their opposition is unabated.

Possible explanation of the national organization's probable withholding formal opposition to the decree is seen in some quarters as a clue to its future course in opposing it. Some suggest that the organization would be in a far better strategic position to gain changes through Congressional action later if it does not go on record next week as opposed to the decree. This theory is that if the court rejects the exhibitors' opposition next week, Congressional committees would be less inclined to listen to them later on the ground that a Federal court already had found their case to be without merit.

In any event, it is known that the national M.P.T.O.A. pinned its hopes almost entirely on obtaining changes in the decree before it was presented to Judge Goddard. When this failed, many M.P.T.O.A. leaders believed opposition to it in court would be futile.

Much the same attitude is attributed to the Paramount theatre associates, some of whom have pointed out that opposition to the decree will be thoroughly covered, in any event, by Allied States, New York Allied, I.T.O.A., Pacific Coast Conference of Independent Theatre Owners and other regional exhibitor organizations.

Lipton Named Col. Advertising Head

(Continued from page 1)

ties for several years, was publicity representative for Sally Rand and Major Edward Bowes, and was associated with the Universal home office publicity department before going to the Coast as studio publicity manager under John Joseph, Universal advertising and publicity director.

It is believed that either Dan Thomas, who has been Lipton's assistant, or Gene Murphy, formerly with Loew's here, who recently joined the Universal studio publicity organization, will succeed Lipton.

Bergman begins his new post as advertising manager for 20th Century-Fox, Dec. 2.

Monogram Closes RKO Circuit Deal

HOLLYWOOD, Nov. 7.—Monogram's home office here has announced that the RKO Metropolitan Circuit in New York has signed for the company's 1940-'41 production lineup.

Edward A. Golden, general sales manager, has reached Atlanta on a tour of Monogram exchanges, and will visit Pittsburgh, Cincinnati, Memphis and Dallas.

Feature Reviews

"Friendly Neighbors"

(*Republic*)

This is an unpretentious film, the basis of which is light comedy which at times is slapstick, songs and dances of the barnyard variety and a naive story. The comedy and melodic interludes are limited, injected discreetly and do not interfere with the basic tale which, under the capable direction of Nick Grinde, is told well.

The cast comprises the Weaver Brothers and Elviry, Lois Ranson, Spencer Charters, Cliff Edwards, John Hartley, Loretta Weaver, Al Shean and Thurston Hall. The original screenplay was written by Dorrell and Stuart McGowan.

The Weavers are forced to abandon their farm because of the extreme heat. They stop at a deserted town which is the victim of annual floods and, by inducing the governor to build a levee, they and a group of hoboes whom they befriended are enabled to settle there permanently.

Running time, 67 minutes. "G."*

"Heritage"

(*French Films Import*)

Produced in southern Spain by Marcel Gras, French producer, who also acted as his own director, "Heritage," in the French language, is a moving and dramatic story of the love of two people and the conflict which arises when the third side of a triangle is formed by the intrusion of a second man.

It is possessed of a basic realism and consequent effectiveness in the portrayal of its leading characters, which, coupled with satisfactory technical achievement and photographic values, make of it entertainment of quality for the audiences who make a cinematic habitat of the socalled "art" film theatres.

Based on the Spanish drama by Feliu y Codina, "Maria del Carmen," the film is provided with English titles by Charles Clement and Gerry H. Saunders. Juanita Montenegro plays the young girl about whom the melodramatic romance revolves; Vital is her fiance; Hubert Prelier the second man, and Marcel Delaitre is Prelier's father. All offer capable performances. Running in parallel sequence to the romantic complication, as the girl attempts to save her fiance from the consequences of stabbing Prelier by befriending the latter, is a basic story of the need for water, the fight for it among two groups of farmers and the injustice which permits a man of power to dictate its disposition.

Running time, 75 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

"Two Women"

(*Paragon*)

A fine cast has been assembled for "Two Women," drawn from the pick of many another French film which has done well in this country. Added to the fast dwindling supply of such films, the latest importation has the usual flavor of deep, moving portrayals of intensely human roles, and spicy, competent direction which keeps the involved plot moving.

Included among the cast are Pierre Blanchar, who was seen in "Un Carnet de Bal," "Crime and Punishment" and others; Annie Ducaux, of "The Affair Lafont" and "Loves of Beethoven;" Blanchette Brunoy, of "The Human Beast;" Ginette Leclerc, who had the title role in "The Baker's Wife," and Pierre Larquey, of "The Mayor's Dilemma."

Leonide Moguy directed the story of a smuggler who insisted that his mistress live in his home with his wife, and of the latter, who becomes involved with the husband of another woman and bears his child.

English titles were prepared by Julian Leigh and are sufficient to carry the story. It is a film which should find favor with adult patrons of foreign films.

Running time, 100 minutes. "A."* EDWARD GREIF

**"A" denotes adult classification.*

Votion Buys Voco Interest of Coslow

HOLLYWOOD, Nov. 7.—Jack Votion has purchased the interest of his partner, Sam Coslow, in Voco Productions, Inc., and with it the contract of Lum and Abner.

Votion will carry on the company, which has a commitment with RKO to make a second Lum and Abner film by next Spring.

Halifax Papers Aid Sunday Films Fight

HALIFAX, N. S., Nov. 7.—The *Daily Chronicle* and the *Star* have joined in demanding approval of the Provincial and City governments for Sunday films. The chief opposition is from the local clergy. The exhibitors are passive, but agreeable to operation on Sundays.

Admission Tax Rise Is Seen As Possibility

(Continued from page 1)

be so great as to force an upward revision of all existing levies.

The reduction in the Federal admission tax exemption from 40 to 20 cents went into effect on July 1, last, at the beginning of the current fiscal year.

At that time, immediately prior to the enactment of the legislation which reduced the exemption to 20 cents, there was considerable discussion in Congressional circles over the possibility of reducing the exemption to 10 cents, or completely eliminating it.

When the legislation was passed, exhibitor leaders expressed the belief that it was extremely likely that the exemption would be reduced to 10 cents by Jan. 1. Exhibition interests throughout the country without exception accepted the tax exemption reduction without question, deeming it a patriotic duty to do their utmost to assist in the collection of the additional levy, since it was designed to aid in the financing of the national defense program.

'Escape' $102,000 At the Music Hall

(Continued from page 1)

Joe E. Lewis, with "Howards of Virginia" on second run, grossed an estimated $32,000 for a week at the State. The stage show was held over with "Strike Up the Band" substituted on the screen. Next Thursday, the State will get "Kit Carson" on a first run with a stage show including Morton Downey, Johnny Messner's band, Wally Vernon and Leni Lynn.

"Mark of Zorro" with a stage show at the Roxy grossed an estimated $55,000 for the first week and will start the last six days today. At the Strand, "Knute Rockne—All American," with Woody Herman's band on the stage, grossed an estimated $21,000 for the third week. "Tugboat Annie Sails Again" opens there today.

Wald and Macaulay Edit Film Yearbook

Jerry Wald and Richard Macaulay are the editors of a new yearbook of the screen, "The Best Pictures of 1939-1940," subtitled, "The Year Book of Motion Pictures in America."

It is illustrated with scenes from the seven films chosen as the best of a type of production. The book is published by Dodd, Mead & Co., priced at $3.50. Its 534 pages contain a general introduction and a foreword by Walter Wanger as president of the Academy of Motion Picture Arts and Sciences.

Condensed versions of the scenarios are included. Following the selected scenarios, which occupy about half the volume, there is a section tracing the trends of the production season.

Morris Gets New Pact

HOLLYWOOD, Nov. 7.—Wayne Morris has been signed to a new term contract by Warners.

'Howards' Is Strong in Hub With $35,500

BOSTON, Nov. 7.—"The Howards of Virginia" and "Dulcy" grossed $16,000 at Loew's State and $19,500 at Loew's Orpheum, for a total of $35,500. Most other grosses were off.

Estimated takings for the week ending Oct. 30:

"Queen of the Yukon" (Rep.)
"Marked Men" (Prod. Rel.)
KEITH BOSTON—(3,200) (25c-35c-40c-55c) 7 days, Blackstone's "Show of 1,000 Wonders" on stage. Gross: $6,500. (Average, $8,000)
"Too Many Girls" (RKO)
"Sandy Gets Her Man" (Univ.)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $14,500. (Average, $16,000)
"Knute Rockne—All American" (W. B.)
"Calling All Husbands" (W. B.)
METROPOLITAN — (4,367) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $15,000. (Average, $15,500)
"Moon Over Burma" (Para.)
"World in Flames" (Para.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $7,700. (Average, $7,500)
"Moon Over Burma" (Para.)
"World in Flames" (Para.)
FENWAY — (1,320) (25c-35c-40c-55c) 7 days. Gross: $4,500. (Average, $4,500)
"Rangers of Fortune" (Para.)
"The Quarterback" (W. B.)
SOLLAY—(2,500) (25c-44c-55c) 7 days. Gross: $3,100. (Average, $4,000)
"The Howards of Virginia" (Col.)
"Dulcy" (M-G-M)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $16,000. (Average $12,000)
"The Howards of Virginia" (Col.)
"Dulcy" (M-G-M)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $19,500. (Average. $17,500)

'Quarterback,' Show $11,500, Indianapolis

INDIANAPOLIS, Nov. 7.—Stage shows did the business. George White's Scandals on the stage and "The Quarterback" on the screen pulled $11,500 for the Circle and Laurel and Hardy on the stage with "Melody and Moonlight" did $13,000 at the Lyric.

Estimated takings for the week ending Oct. 31-Nov. 1:

"The Quarterback" (Para.)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Stage: George White's Scandals, starring Ben Blue. Gross: $11,500. (Average, $6,000)
"The Ramparts We Watch" (RKO)
"Mexican Spitfire Out West" (RKO)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $5,800. (Average, $5,500)
"Wyoming" (M-G-M)
"Haunted Honeymoon" (M-G-M)
LOEW'S—(2,800) (28c-33c-44c) 6 days. Gross: $6,500. (Average, $7,000)
"Melody and Moonlight" (Rep.)
LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: Personal appearance of Stan Laurel and Oliver Hardy, plus vaudeville. Gross: $13,000. (Average, $8,000)

Plaintiff Wins Point In Contract Action

NEW HAVEN, Nov. 7.—Motion to strike out the answer of the defendant, Joseph F. Shulman, operator of the Plaza, Windsor, Conn., has been granted the plaintiff in the clearance case of Lampert Theatres of Windsor, Inc., against Warners brought to the Superior Court here last February. Plaintiff asks $25,000 damages, reformation of the contract, and an injunction against Warners restraining it from performance of a second run contract, which it entered into in alleged violation of agreement with the plaintiff, operator of the Windsor.

Critics' Quotes . . .

"NORTH WEST MOUNTED POLICE" (Paramount)

An exceptionally fine picture. . . . Romance, humor, suspense and thrilling action are skillfully woven into an ideal pattern for a motion picture, the like of which we haven't seen since "Lives of a Bengal Lancer."—*Kate Cameron, New York Daily News.*

A big, sprawling, sometimes tedious picture in which the note of heroism is beaten like a drum to the accompanying clash of color symbols.—*Bosley Crowther, New York Times.*

The color photography is genuinely beautiful. . . . Melodramatic excitement is purveyed in various tense situations . . . an exceptionally good presentation of a revolt of the early settlers in the Canadian wilderness against the forces of civilization . . . will enjoy a far-reaching popularity.—*Edwin Schallert, Los Angeles Times.*

The outdoor photography in color adds immeasurably to the beauty of the production . . . gives every indication of being a picture that will be thoroughly enjoyed, even though it is too long.—*Garrett D. Byrnes, Providence Journal.*

Taken strictly as a spectacle, the production is superb, and stacks up shoulder to shoulder with the long line of winners from the DeMille stable. —*Chicago Herald American.*

"CHRISTMAS IN JULY" (Paramount)

Sturges converted this unpretentious plot into a happy, slightly noisy comedy with a Chaplinesque background of pathos.—*Time.*

Amply deserves the widespread popularity it is certain to have . . . strictly a corny motion picture but it is a highly entertaining one.—*Howard Barnes, New York Herald Tribune.*

A fast-moving farce with several unexpected, hilarious comedy situations. . . . If you want to laugh and forget your troubles, "Christmas in July" is a gift even in November.—*Lee Mortimer, New York Daily Mirror.*

One of those happy little pictures with nobody or nothing very expensive in it—the kind of thing that lets everybody, but especially the audience, have a wonderful time. . . . It looks like it was fun to make, and it is certainly fun to see.—*Cecelia Ager, PM (New York).*

A gay, whimsical, charming photoplay. . . . 90 minutes of clever and delightful fun—as refreshing as a cool breeze on a hot, sultry day.—*William Bochnel, New York World-Telegram.*

"THE GREAT DICTATOR" (Chaplin-U. A.)

Chaplin's previous hits have been pearls of assorted humor strung on a thread of personality—the personality of an ineffectual half-pathetic, wholly sympathetic little comedian. "The Great Dictator" has enough pearls but no thread.—*Time.*

It is only by fits and starts that we get the same old Chaplin, and while there are many of his familiar gags in the film, they don't come fast enough to turn a serious idea—such as blatancy of a Hitler—into a subject for comedy.—*Henry T. Murdock, Philadelphia Ledger.*

If there is any disappointment over "The Great Dictator" it may be because there are stretches now and then which come perilously close to being dull, but the best of the photoplay is magnificent and it is easy to condone these parts which do not measure up to expectations.—*Gilbert Kanour, Baltimore Evening Sun.*

Obviously represents the earnest and heartfelt and unavoidably rueful comment of a great clown upon the time in which he lives and as such, it is a picture definitely to be seen.—*Garrett D. Byrnes, Providence Journal.*

"THE MARK OF ZORRO" (20th-Fox)

Comes out exceedingly well in its talking dress form . . has plenty of action and that is apparently what the public wants . . . the story is admirably suited to the screen.—*William Boehnel, New York World-Telegram.*

An exceedingly fine job . . . still an exciting action picture, full of melodramatic vitality and suspense . . . an eminently satisfying motion picture melodrama.—*Howard Barnes, New York Herald Tribune.*

What is often called an escapist picture, and it's a good one . . . an entertaining period melodrama, a Western in historical costume.—*Eileen Creelman, New York Sun.*

Amusing entertainment . . . good fun, and the California scenery is elegant. —*Rose Pelswick, New York Journal American.*

"HIT PARADE OF 1941" (Republic)

Has some good tunes, also expert comedians, singers and dancers—but if it only had some jokes to go along with them . . . depends upon its music for its modest entertainment appeal.—*Norman Clark, Baltimore News Post.*

A mongrel of romance and revue which seems to have an insufficient sense of humor.—*Gilbert Kanour, Baltimore Evening Sun.*

This musical comedy is so tuneful, so well acted, so cleverly written and directed and so handsomely mounted that I must compliment everyone who had anything to do with its production.—*Louella O. Parsons, Los Angeles Examiner.*

"TOO MANY GIRLS" (RKO)

The result is that the picture is entirely—and rather pitifully—dependent on a few gags, some good tunes (only one of which is "sold" to the movie audience) and a cast composed, with a couple of exceptions, of virtual unknowns.—*Philip K. Scheuer, Los Angeles Times.*

The kind of lively, youthful musical nonsense that you need for a good chasing of the blues.—*Jimmy Starr, Los Angeles Herald and Express.*

Has everything the tired business man will like, and, moreover, it will help the little woman at home to forget her troubles.—*Louella O. Parsons, Los Angeles Examiner.*

'North West' Is Hit in Loop With $48,000

CHICAGO, Nov. 7. — "North West Mounted Police" scored a powerful $48,000 at the Chicago, with Betty Grable and Ken Murray on the stage. "Spring Parade" and "Men Against the Sky" took $16,000 at the Palace.

Estimated takings for the week ending Nov. 1:

"Kit Carson" (U.A.)
APOLLO—(1,400) (35c-55c-75c) 7 days, 2nd week. Gross: $4,000. (Average, $6,500)
"North West Mounted Police" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Betty Grable & Ken Murray. Gross: $48,000. (Average, $32,000)
"Knute Rockne—All American" (W.B.)
GARRICK—(1,000) (35c-55c-75c) 7 days, 3rd week. Gross: $7,000. (Average, $5,000)
"Golden Fleecing" (M-G-M)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Tiny Hill and Band. Gross: $14,000. (Average, $13,000)
"Spring Parade" (Univ.)
"Men Against the Sky" (RKO)
PALACE—(2,500) (35c-40c-60c) 7 days. Gross: $16,000. (Average, $13,000)
"Wyoming" (M-G-M)
"World in Flames" (Para.)
ROOSEVELT — (1,500) (25c-55c-75c) 7 days. Gross: $12,000. (Average, $11,000)
"Flowing Gold" (W.B.)
STATE-LAKE—(2,700) (25c-40c) 7 days. Stage: Clyde McCoy and Band. Gross: $17,500. (Average: $15,000)
"Strike Up The Band" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 4th week. Gross: $8,000. (Average, $14,000)

'Police' Milwaukee Smash with $18,100

MILWAUKEE, Nov. 7.—Best grosser in a slow week was "North West Mounted Police" and "Dancing on a Dime," playing Fox's Palace and Wisconsin simultaneously at advanced admissions. The former house grossed $7,300 and the latter $10,800.

Estimated takings for the week ending Oct. 31:

"North West Mounted Police" (Para.)
"Dancing on a Dime" (Para.)
PALACE—(2,400) (44c-65c) 7 days. Gross: $7,300 (Average, $4,000)
"Nobody's Children" (Col.)
RIVERSIDE—(2,700) (28c-44c) 7 days. Stage: "All-American Follies." Gross: $6,000. (Average, $6,500)
"The Mummy's Hand" (Univ.)
"The Villain Still Pursued Her" (RKO)
STRAND—(1,400) (30c-40c-55c) 7 days. Gross: $2,800. (Average, $1,500)
"Lucky Partners" (RKO)
"A Little Bit of Heaven" (Univ.)
WARNER—(2,400) (30c-40c-55c) 6 days. Gross: $4,000 (Average, $4,500)
"North West Mounted Police" (Para.)
"Dancing on a Dime" (Para.)
WISCONSIN—(3,200) (44c-65c) 7 days. Gross: $10,800. (Average, $5,500)

'Quiet Please' Opens Tonight at Guild

Jesse L. Lasky and Henry Duffy will present their new comedy on Hollywood, "Quiet Please," tonight at the Guild Theatre. The play was written by F. Hugh Herbert and Hans Kraly. A large cast is headed by Jane Wyatt, Donald Woods, Fred Niblo and Ann Mason. Al Spink is press representative for the show.

Television Awaits Report On Standards

Despite the fact that there are three television stations in operation here, indications are that NBC, DuMont and CBS are determined to mark time until the National Television Systems Committee issues a report on standards. The NTSC is scheduled to meet with the FCC in January but the Commission has declared that it does not expect the NTSC to make any recommendations on the fixing of standards at that time.

The conflicting desires of the FCC to get television started quickly and the desire of the stations not to spend any money on the new medium until they know exactly where they stand, are producing some queer results, it was pointed out.

In granting television licenses, the FCC noted severely that "squatters on the public domain" would not be tolerated. The industry heads then organized the NTSC. It was hoped that the commission would not press the licensees until after Jan. 1 when the NTSC is expected to report. However, when the FCC learned earlier this Fall that the stations intended to hold off, it issued strict, although informal, orders that some activity would be required immediately.

Companies Start Activity

The shifting of frequencies gave the stations some breathing spell but some further action was required. As a result, partly from the Commission's attitude, NBC resumed telecasting, CBS announced it had developed color television and DuMont started telecasting with the sight channel only.

NBC, which had had an extensive program schedule up to August, resumed operations last month. However, its schedule thus far appears to be directed toward doing the job of telecasting without spending anything more than the barest minimum. Films and special events, the two cheapest program subjects, are all that have been scheduled thus far.

Receiver Sales Stop

DuMont, NBC's chief rival, of course, which was out in front with its set sales to bars, restaurants and hotels, has been hit by the cessation of NBC activities. Without a television service, receiver sales stopped. As for its own transmitter, DuMont is continuing to build it and may be saved any questions concerning a real program service by not completing it before the end of the year. Meanwhile, it has kept its record clear by making two actual test telecasts, using a 50-watt transmitter and a sight channel only.

As for CBS, this network's station was on the air for many months with nothing more than a test pattern. When the change in frequencies was ordered, CBS continued with its pattern and did not start the shift until quite recently. In normal course, the shift will not be completed before the end of the year.

Off the Antenna

FRANK CONRAD was guest of honor last night at a party arranged by Westinghouse Electric & Manufacturing Co. at the RCA building roof. Westinghouse had Dr. Conrad as guest for "Musical Americana" which it sponsors over NBC-Red. It was also a Westinghouse station, KDKA, Pittsburgh, at which Dr. Conrad did his pioneering work in broadcasting. Feature of the party were interviews staged by Bill Farren, former KDKA announcer, and Del Sharbutt, master of ceremonies on "Musical Americana." The interviewers asked what the guests were doing at the time Dr. Conrad produced the first broadcast.

• • •

Purely Personal: *Norman Corwin, CBS and RKO producer, will have a book of 11 original radio plays and four adaptations published by Henry Holt next Spring. . . . Al Hefer, WOR sportscaster, became father of an 8½-pound baby Monday. . . . Fred Allen is scheduled to be guest of "Information, Please" next Friday, when the program moves to NBC-Red. . . . Ilka Chase's contract for "Luncheon at the Waldorf" has been renewed for an additional 13 weeks, effective Nov. 23. . . . Barry Wood will be guest on "Musical Americana" Thursday at 10:30 P.M.*

• • •

In these days when pleas for unity fly through the air, WOR will make a courtly gesture of friendship to one of its New York City rival stations. Tonight, just before 9 P.M., WOR will devote a minute to call attention to the fact that WEAF is dedicating its new transmitter and to wish its neighbor well.

• • •

Leif Eid, who has handled NBC television publicity since its inception, has been transferred to special promotion work. Replacing him is Ernest Colling, long a member of the RCA information department. Colling will handle local station publicity as well as television.

• • •

Program News: *WHN will start the hockey season broadcasts next Thursday with Bert Lee and Dick Fishell at the microphone. . . . Campana's "First Nighter" starts its 11th year on Tuesday, Nov. 26. Heard over CBS, the program gave both Don Ameche and Gail Paige their starts in radio. At present, Barbara Luddy and Les Tremayne are the regulars. . . . Gottfried Baking Co. has renewed two contracts over WHN for 52 weeks each. The contracts are for United Press news and "Junior G-Men."*

• • •

Katharine Cornell, Leopold Stokowski, Clifton Fadiman, Raymond Gram Swing, Bob Trout and Norman H. Davis will make the annual Red Cross membership appeal over NBC-Blue, CBS and Mutual Sunday at 1:30 P.M.

Reaffirm Pact to Drop 'Star' Rating

(Continued from page 1)

situation remains in status quo. Paramount resorted to use of the star awards in its advertising after unsuccessfully protesting their use by the Rivoli, which is not a party to the agreement.

Indications are that the subject may be referred to a meeting of the M.P.P.D.A. board of directors scheduled for today in the hope of determining whether or not there is a basis for bringing the Rivoli into the agreement. If this is accomplished, Paramount's compliance is to be taken for granted.

The agreement had been in effect for about four years. Loew's, a staunch champion of the agreement, indicated yesterday that it may retaliate by city-wide circuit advertising of star awards if the agreement is ignored in the future. A circuit executive pointed out yesterday that Loew's has booked four four-star pictures, "Escape," "Arise, My Love," "The Long Voyage Home" and "North West Mounted Police."

Roosevelt in Marines

HOLLYWOOD, Nov. 7.—James Roosevelt, head of Globe Productions, left today to assume his post as captain in the 22nd Marine Reserve Battalion at San Diego.

Pascal Coming Here

LONDON, Nov. 7.—Gabriel Pascal has booked passage for New York, and is expected to leave here for the United States some time next month.

Sunday Show Start Delayed to Nov. 17

(Continued from page 1)

schedule for layoffs. Since the hit shows, which play to capacity all week, will gain nothing by Sunday shows, it is expected that the weaker draws may bolster their grosses by playing on Sunday when competition will not be as keen. However, for weekdays it is felt that the off night should be staggered so that there will be open shows every night of the week.

One of the crucial tests, so far as Equity is concerned, is the Actors Fund benefits. These performances are given on Sunday nights exclusively and the revenue is the main source of income for the Fund. If most shows play on Sunday, it will mean that the benefit performances will have to be given on weekdays with the resultant lower income. Some indication may be found this Sunday when "Johnny Belinda" plays a Fund benefit against "Tobacco Road" but it is not likely that the real test will come until a substantial number of shows are playing Sundays regularly.

Columbus Stage Show

COLUMBUS, Nov. 7.—Laurel and Hardy will head a stage revue opening at Loew's Ohio here tomorrow, this being the first stage show which this house has played since 1935. "Arise, My Love" will be the accompanying screen feature. The Ohio normally plays double features.

Parties Spent $262,674 on Mutual Time

The first breakdown of presidential campaign expenditures on the networks came yesterday from Mutual which revealed that total billings for the campaign were $262,674 for 32½ hours.

$130,000 by Democrats

Of the total time bought, the Democrats paid $130,000 for 14¾ hours, while the Republicans purchased 17 hours for $124,500. The apparent discrepancy of the Republicans purchasing more time for less money was explained by Mutual by the fact that the number of stations on each hookup varied and also by the fact that the Democrats used more night time, which is more expensive.

The rest of the political time bought was by the Communists, who used a half hour for $5,100 and the Social-Laborites who bought 15 minutes for $2,574.

Political expenditures on Mutual more than doubled this year over the 1936 campaign. In 1936, Mutual was not the extensive coast-to-coast network which it is today. For the previous campaign, Mutual sold 25½ hours for $105,042.

$22,522 on WMCA

Over WMCA, political parties spent $22,522. Republicans' expenditures were $14,114 for 15 hours and 17 minutes, and the Democrats' were $14,114 for 11 hours and 35 minutes. The National Committee to Uphold Constitutional Government spent $130 for 15 minutes. Republicans used 178 spot announcements and the Democrats 53.

15 Radio Programs 'Tied' with 'Arizona'

The Kate Smith, Vox Pop and George Fisher's "Hollywood Whispers" radio programs will be tied in with the world premiere in Tucson Nov. 15 of Columbia's "Arizona." Fifteen coast-to-coast broadcasts are included in the tieup.

Kate Smith will participate with Hollywood guest stars in five daily noon programs linked with the picture in addition to the regular Kate Smith Hour on CBS, which will be broadcast from Tucson on the evening of the premiere.

The Vox Pop program will precede the Kate Smith Hour on 50 CBS stations. Members of the film's cast and celebrities will be interviewed.

Fisher's "Hollywood Whispers" program will devote eight weekly broadcasts starting yesterday, to an "Arizona" quiz contest over 140 Mutual stations.

Tarkington Trial Jan. 8

Trial of the $100,000 damage suit of Booth Tarkington against Warners has been fixed for Jan. 8. He claims that Warners infringed on his literary rights in filming "Penrod and His Twin Brother." Warners have counter-claims for $35,000.

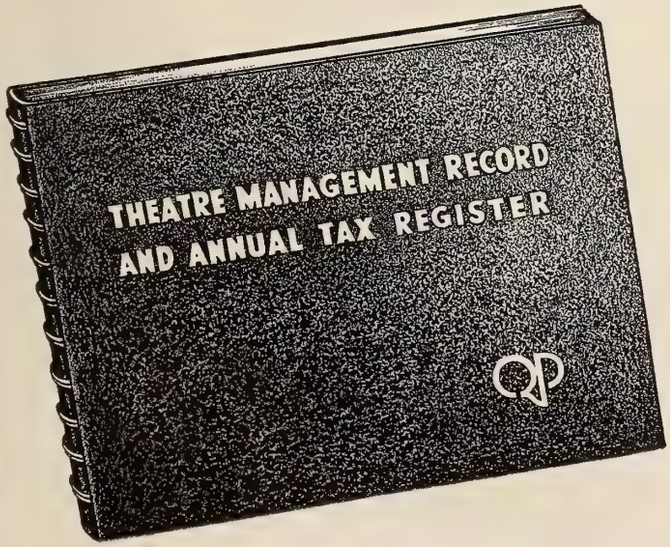
THE FINEST ACCOUNTING BOOK EVER COMPILED FOR MOTION PICTURE THEATRE OWNERS!!

PARAMOUNT THEATRE
C. A. WAGNER, Manager
CONNELLSVILLE, PA.

AUGUST 30, 1940

"THANK YOU FOR YOUR PROMPT DELIVERY OF MY NEW RECORD. I DO NOT KNOW OF ANY WAY YOU MIGHT IMPROVE YOUR BOOK, AS I THINK IT IS VERY COMPLETE NOW. I HAVE RECOMMENDED IT TO SEVERAL OF MY FRIENDS IN THE BELIEF IT WOULD HELP THEM A GREAT DEAL."

Paul Francis



Compiled by THEODORE J. SULLIVAN

■ **YOUR MONEY WILL BE IMMEDIATELY REFUNDED IF YOU DON'T FIND THIS TO BE A PRACTICAL, SIMPLIFIED BOOKKEEPING SYSTEM**

$2.00 Postpaid

MAIL COUPON NOW

QUIGLEY BOOKSHOP, ROCKEFELLER CENTER, NEW YORK

Here is my check for $2.00. Send me "THEATRE MANAGEMENT RECORD."

Name _____ Address _____

City and State _____ Theatre _____

WARNERS' LETTER

COMING FOR THANKSGIVING!

THE MOST EXCITING OF ALL FROM

BETTE DAVIS!

A WM. WYLER Production



By W. Somerset Maugham, with

HERBERT MARSHALL

JAMES STEPHENSON

Frieda Inescort • Gale Sondergaard

Screen Play by Howard Koch

Music by Max Steiner

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in and Impartial

VOL. 48. NO. 93 NEW YORK, U.S.A., MONDAY, NOVEMBER 11, 1940 TEN CENTS

M.P.P.D.A. OF AMERICA,
28 WEST 44TH ST.,
NEW YORK,
N. Y.
(6 COPIES)

Parties Spent $1,781,174 for Broadcasting

$884,300 for Democrats; GOP Paid $861,100

Political parties purchased a total of $1,781,174 of time on the major networks for the presidential campaign, preliminary figures released over the weekend revealed.

Of the total, the Democrats spent $884,300 as compared with $861,100 for the Republicans, although the latter figure does not include $11,600 paid for the John L. Lewis speech over NBC.

NBC led with $924,600 for both the Red and Blue networks while CBS grossed $593,900. Figures for Mutual were printed in MOTION PICTURE DAILY on Friday.

The Democrats spent $435,000 over NBC while the Republicans spent $462,000. An additional $27,600 spent included $11,600 for the Lewis talk; $4,000, Social-Labor party; $7,000 Communists; and $5,000 for local campaigns. These charges included extra

(*Continued on page* 10)

Federation Groups Named for Drive

Committees have been selected for the Amusement Division of the annual drive of the New York and Brooklyn Federations for the Support of Jewish Philanthropic Societies.

Co-chairmen of the division are David Bernstein and Albert Warner. Vice-chairmen are Barney Balaban, Nate J. Blumberg, Jack Cohn, George J. Schaefer and Murray Silverstone.

The committees for the various

(*Continued on page* 5)

Lipton to Start at Columbia on Jan. 2

David A. Lipton, newly appointed director of advertising, publicity and exploitation for Columbia, will assume his new post at the home office Jan. 2. His resignation as Universal studio publicity manager becomes effective Dec. 14. He will spend the intervening two weeks in the Columbia studio to coordinate plans with Lou Smith, Columbia studio publicity director.

Maurice A. Bergman, whom Lipton succeeds at Columbia, begins his new duties as 20th Century-Fox advertising manager under Charles E. McCarthy on Dec. 2.

Fairbanks' UA Stock Valued at $500,000

Los Angeles, Nov. 10.—The one-fifth stock interest in United Artists of the late Douglas Fairbanks has been appraised at $500,000 by the California estate appraisal department. It is believed to be the first public valuation of United Artists stock, which is privately held.

The appraisal is tentative and has not yet been filed with the probate court. Indications are that the Fairbanks estate counsel will endeavor to have the appraisal reduced before it is submitted to the court, on the ground that it does not represent current realization value of the shares.

Counter Proposal Made to England On Currency Pact

Counter proposals on a monetary agreement with Britain were made over the weekend, following consideration of new proposals from London at separate meetings of the foreign department heads of the major companies and Hays office directors.

The new London proposals and the counter proposals from the American companies concern the three major phases of the new currency agreement.

These are the amount of currency to be withdrawn during the next 12 months, the arrangements for purchase of British films by American companies for distribution here and restrictions on investments of blocked sterling by American companies in British theatres.

ALL CONTRACTS CALLED ILLEGAL

Reasons Given by Gov't for Ruling Contracts Illegal

The Government, in filing the amended complaint on Saturday, claimed that all present licensing contracts made between the majors and exhibitors are "illegal" for the following seven reasons:

1. License terms are fixed in contracts before an exhibitor has had a fair opportunity to estimate the value of a film.

2. License agreements fix clearance, run and minimum admission prices on large groups of pictures simultaneously.

3. The licensing of one film or group of films is conditioned on the licensing of another film or group.

4. The licensing of films in one theatre is conditioned on the licensing of films in another theatre or group.

5. Agreements on clearance are calculated to suppress competition between exhibitors rather than to protect distribution revenue.

6. Distributors frequently refuse to license a run on any terms in order to protect an exhibitor from competition.

7. Prints are arbitrarily withheld on license contracts to give an exhibitor a prior play date not provided for by agreement.

U. S. Makes This Claim In Serving Request to File Amended Bill

All present exhibition licensing agreements are declared illegal by the Department of Justice. This stand is revealed by the Government's filing on Saturday a notice on the eight major companies and 13 of their subsidiaries that it would ask Federal Judge Henry W. Goddard Thursday for permission to file a 70-page amended complaint.

With the notice, the Government served a copy of the proposed amended complaint which set forth seven reasons why it contends that existing contracts are illegal. By so pleading, it appears to be the Government's purpose to bring the three smaller companies into line with the proposed consent decree. The Government also hopes to give effect by the amended complaint to the nationwide system of arbitration.

The complaint asks for the organization of a "nation wide system of impartial arbitration tribunals" in order to secure "adequate enforcement" of a decree. Although the complaint also asks for an injunction against all majors to restrain integration of distribution, production and exhibition, Government attorneys state that the demand against the big five is formal and only incidental to the consent decree.

The Government centers its attack upon distribution. Production and ex-

(*Continued on page* 5)

16mm. and Nickel in Slot Films Subject to Supervision in State

Albany, Nov. 10.—All 16mm. films and coin film machines are subject to the same censorship and licensing regulations as for 35mm. films when shown in any place of amusement at an admission charge or other compensation or in connection with any business establishment in the State, Attorney General John J. Bennett, Jr., ruled over the weekend.

Bennett pointed out that Section 1,089 of the Education Law makes no distinction between 35mm. and 16mm. and that 16mm. films must contain the usual identification indicating a license from the State Education Department.

The ruling was made on the request of the Education Department, which said that at least one New York City theatre and a number of cafes are showing 16mm. copies of old films.

Para. Heads Weigh Effects of Decree

CHICAGO, Nov. 10.—Probable effect of the consent decree on theatre operations was among a variety of subjects discussed at a two-day meeting here Friday and Saturday of Paramount home office theatre executives and circuit operators. The group left for the Coast yesterday for further discussions at the Paramount studio with home office executives and studio heads.

Plans for closer cooperation between the company's theatre units through-

(*Continued on page* 5)

Three Home Offices Will Close Half Day

The home offices of Universal, 20th Century-Fox and M-G-M will close at 1 P. M. today in observance of Armistice Day.

Chicago, Nov. 10.—All film exchanges in the city will be closed tomorrow, Armistice Day, for the first time since the World War.

Sunday Show Start Delayed to Nov. 24

The start of Sunday stage shows has again been deferred, this time to Nov. 24, by decision of the League of New York Theatres. Some of the attractions found that more time was necessary to complete arrangements than yesterday's scheduled start would allow.

The League has ratified in principle the amendment to the basic agreement with the Dramatists Guild, which will regulate the financing of Broadway shows by film companies and the sale of screen rights to them. A few minor points are to be clarified by the Guild today prior to the Guild's annual membership meeting tomorrow. The membership is expected to approve the pact.

Theatre Red Cross Drive Starts Today

The motion picture theatres' campaign for the American Red Cross begins today, with between 8,000 and 9,000 theatres across the country participating in a two-week drive on behalf of the annual roll call.

The campaign will continue to Nov. 30. In a few cities the membership campaign will be conducted later, when theatres will cooperate, and in some smaller towns no Red Cross campaign is conducted. Otherwise theatre cooperation is said to be 100 per cent. Major L. E. Thompson is general chairman and David Palfreyman is secretary.

Brand, Jack Goetz Guests at Luncheon

Harry Brand, studio advertising and publicity head for 20th Century-Fox, and Jack Goetz of DuArt Laboratory were tendered a luncheon by friends Friday at Lindy's (51st St.) on the occasion of Brand's brief visit here to testify in the Sonja Henie commission case and Goetz' forthcoming departure for army training.

Among those in attendance were: Irving Berlin, Joseph Moskowitz, Abel Green, Charles Lewis, Maurice Kann, Martin Moskowitz, Monroe Greenthal, James Mulvey, David Griesdorf, J. J. Milstein, Harry Cohn and Joseph Pincus.

Brand left for Hollywood Friday.

Reception to Maugham

Warners and Jacques Chambrun will be hosts Wednesday afternoon at a cocktail party for Somerset Maugham, British playwright and novelist, at the Ritz Carlton.

Personal Mention

MR. and MRS. EDWIN WEISL left Saturday for California.

•

PAT CASEY, producers' labor representative, left for the Coast by train over the weekend, following a two weeks' visit here.

•

R. B. WILBY is expected in New York from Atlanta today.

•

ROBERT GILLHAM, Paramount advertising and publicity director, will return from Florida today.

•

REGINALD ARMOUR, RKO European manager, is expected from the Coast within the next few days and will return to Europe shortly.

•

PAUL WEILL, French lawyer and talent representative, arrived on the *Atlantic Clipper* Friday from Lisbon.

•

WILLIAM CHAMBLISS, member of the Twentieth Century-Fox publicity department and lieutenant in the U. S. Naval Reserve, leaves today for active duty as aviator in the Navy.

•

A. J. HOLT, operating the suburban Idle Hour in Cincinnati, just celebrated his 70th birthday.

•

GENE POST, booker at the M-G-M Des Moines office, was married to DOROTHY WILSON of Des Moines on Friday and the couple left for a honeymoon in Lincoln, Neb.

•

WILLIAM DIETERLE, producer for RKO release, arrived here Friday for a two-week vacation.

ED KUYKENDALL, M.P.T.O.A. president, is expected in New York today from his Columbus, Miss., home.

•

T. J. CONNORS, Eastern sales manager for M-G-M, returns today from Washington.

•

MRS HENRY GINSBERG, wife of the vice-president and general manager of the Paramount studio, and their infant son, JOHN, arrive on the Coast by train today from the East.

•

JAMES MULVEY, J. J. MILSTEIN, MARTIN MOSKOWITZ and JOSEPH MOSKOWITZ spent the weekend at Wayne Country Club, Tyler Hill, Pa.

•

IRVING JACOCKS, JR., SAMUEL ROSEN, TIMOTHY O'TOOLE, BENJAMIN LOURIE and MAX TABACKMAN of New Haven attended the Bar Mitzvah party on Saturday for JERRY ROGOVIN, son of I. H. ROGOVIN, Warner Boston manager.

•

HARRY L. LAVIETES, operator of the Pequot, New Haven, celebrated his 35th wedding anniversary late last week with a house party.

•

EVAN JACOBS, booker at the 20th Century-Fox Des Moines exchange, and MRS. JACOBS are the parents of a son, born late last week.

•

J. E. GARRISON of Kansas City, Universal district manager, spent several days at the Des Moines office.

Hays Office Board Defers 'Star' Action

Hays office directors on Friday deferred action on reinstatement of the agreement not to use "stars" or other symbol ratings of critics in film company and theatre advertising.

The matter was discussed briefly. It will be taken up again by the board when Barney Balaban, Paramount president, returns from the Coast.

Meanwhile, Paramount continued use of the four-star award in its advertising of "North West Mounted Police." Robert M. Gillham, Paramount advertising and publicity director, has agreed to discontinue the practice if the Rivoli and Globe become parties to the agreement.

Columbus Exhibitor Dead

COLUMBUS, Nov. 10.—John Rapold, 54, local exhibitor, is dead here. He was co-owner with his brother, George E. Rapold, of the suburban Innis and Ideal. Four sisters also survive.

20th-Fox Assigns Morgan to Trinidad

W. B. Morgan, formerly 20th Century-Fox manager in France, has temporarily been appointed manager for Trinidad, it was announced over the weekend by Walter J. Hutchinson, director of foreign distribution. Morgan will sail Wednesday for his headquarters in Port o' Spain. It is planned that Morgan will return to Europe as soon as conditions will permit.

J. V. O'Gara, Trinidad manager, has been assigned to Chile, replacing Arturo Ruscica, resigned.

Depinet, Smith to Address Associates

Ned E. Depinet, vice-president of RKO, and Andrew W. Smith, Jr., sales manager of the company, will be guest speakers at a luncheon meeting of the Motion Picture Associates tomorrow at the Hotel Astor. Final plans will be discussed for the dinner and dance Nov. 20 at the Astor.

Fox Midwest Uses Ads, Trailers To Urge Unity, Film Patronage

Kansas City, Nov. 10.—Fox Midwest Theatres, comprising more than 100 houses, began advertising in newspapers and via screen trailers the day after election: "The Election is Over! Let's all be Americans now. Whatever the differences among us before the election, there are no differences among us today. We must stand as one behind the man of the people's choice. . . . For Diversion, Attend the Movies, America's Greatest Entertainment!"

This was the newspaper advertisement. The theme of the screen trailers was similar. The latter was greeted by applause in practically all the Fox houses.

Dent Resigns Post As ABP Executive

London, Nov. 10.—Maurice Arthur Dent, for many years managing director of Wardour Films, Ltd., and distribution chief of Associated British Pictures Corp., has resigned. Dent has made several visits to the United States. His future connection has not yet been determined.

Expect Reelection Of U. A. Directors

Maurice Silverstone, United Artists chief executive, left for the Coast by train last night for conferences with the company's producers and to attend the United Artists annual stockholders' meeting there Nov. 19. All United Artists directors are scheduled to be reelected at the meeting.

Edward C. Raftery of O'Brien, Driscoll & Raftery, counsel for Mary Pickford and the Douglas Fairbanks estate, will leave for the Coast by plane next Sunday to attend the meeting. Charles Schwartz of Schwartz & Frohlich, counsel for Charlie Chaplin and Alexander Korda, arrived on the Coast yesterday and will remain for the meeting. It is undecided yet whether James Mulvey, representative of Samuel Goldwyn on the United Artists board, will go to the Coast for the meeting.

'Wrath' Gets Award As Best Book Film

An award for "The Grapes of Wrath" as the best film made from a book this year was presented to 20th Century-Fox at the annual Book Ball Friday night at Manhattan Center. The selection was made in a competition sponsored by the Book and Magazine Guild and the Ampa. Nunnally Johnson, who wrote the script from the John Steinbeck novel, accepted a plaque from J. Donald Adams, editor of the *New York Times* Book Review section, who represented the judges. It is planned to make such an award annually. The plaque will be on display at the next Ampa meeting.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.





TECHNICOLOR
gave it brilliance!

NOEL COWARD
gave it song and story!

ZIEGFELD
gave it Broadway production!

M-G-M
gave it box-office immortality!



Jeanette MacDONALD
Nelson EDDY
in NOEL COWARD'S

Bitter Sweet

PHOTOGRAPHED IN TECHNICOLOR

with
GEORGE SANDERS
IAN HUNTER
FELIX BRESSART

Original Play, Music and Lyri
by Noel Coward • Screen Pla
by Lesser Samuels • A Metr
Goldwyn-Mayer Picture • D
rected by W. S. VAN DYKE
Produced by VICTOR SAVIL

Loew's Cuts Cost Allocation Abroad

Loew's, Inc., announced over the weekend that because of the war it has again revised its table of amortization of film costs. Such costs will be reallocated 75 per cent to domestic distribution and 25 per cent to foreign sales, instead of the previous allocations of 70 and 30 per cent. The new figures will apply to all films released after Sept. 1, 1939.

Republic Regional Meeting Tomorrow

Republic Pictures Corp. will hold its next quarterly regional sales meeting for the Eastern territory at the home office tomorrow. Herbert J. Yates, president of Consolidated Film Industries, and James R. Grainger, president of Republic, will head the home office executives attending.

Among the exchange representatives will be: Morris Epstein, New York manager; Max Gillis, Philadelphia; M. E. Morey, Boston; Sam Seletsky, New Haven; Jack Bellman, Buffalo; Arthur Newman, Albany; Sam Seplowin, Detroit; James H. Alexander and Sam Fineberg, Pittsburgh franchise holder and sales manager, respectively; Sam and Jake Flax, Washington franchise holders; Nat Lefton and Sam Gorrel, Cleveland franchise holder and business manager, respectively, and George H. Kirby, Cincinnati.

Other regional sales meetings are scheduled for Toronto, Nov. 15 and 16; Chicago, Nov. 19, and Memphis, Nov. 20.

Preview 'Melody Ranch'

"Melody Ranch," Republic Gene Autry high budget western, was previewed last week at Harry Zeitz's State Theatre, New Bedford, Mass. H. J. Yates, president of Consolidated Film Industries, Inc.; James R. Grainger, president of Republic Pictures, and M. J. Siegel, president of Republic Productions, attended.

Sellout at 4 Tucson Houses for 'Arizona'

TUCSON, Nov. 10.—The State, Rialto, Fox and Temple of Music and Art here have been sold out for the world premiere next Friday of Columbia's "Arizona."

Governors of six Southwestern states and all Arizona mayors have been invited to attend the premiere. Some 250 newspapermen and members of the film's cast will come from Los Angeles by special train. Cities from El Paso to Phoenix are sending delegations.

Jean Arthur, star of the film, will appear on the Kate Smith Hour over CBS originating here the evening of the premiere.

Option Is Extended

HOLLYWOOD, Nov. 10.—Brian Donlevy has had his option extended for one year by Paramount.

Hollywood Review

"Sandy Gets Her Man"

(Universal)

HOLLYWOOD, Nov. 10.—Comedy is the essence of this fourth of the Baby Sandy pictures, with the very young star cast as trouble maker in general and arbiter in particular as to her future father. The baby's mother, Una Merkel, appears as only daughter of a town councilman, her previous husband having died or been otherwise disposed of before the script begins.

The two suitors for the mother's hand are respectively a fireman, Stuart Erwin, and a policeman, Jack Carson, whose purely romantic motives are given a mercenary twist by their respective departments when it becomes known that the girl's father will dispose of $250,000 which one of the two departments will get.

The baby's prospensity for sudden disappearances, and the efforts of the fire and police groups to back their men keep the picture rolling merrily along, aided by such players as Edgar Kennedy, the fire chief; William Frawley, police chief; Edward Brophy and Wally Vernon, two over-enthusiastic firemen, and William Davidson, John Sheehan and Isabel Randolph.

Burt Kelly was associate producer and Otis Garrett and Paul Gerard Smith directed the Sy Bartlett-Jane Storm screenplay.

Running time, 66 minutes. "G."* W. S.

** "G" denotes general classification.*

Committees Are Selected For Federation Campaign

(Continued from page 1)

branches of the industry are as follows:

Columbia—Abe Schneider, Nathan D. Spingold, co-chairman; Max Seligman.

Loew's-M-G-M—Leopold Friedman, chairman; Oscar Doob, Arthur M. Loew, Charles Moskowitz, Morton Spring, Joseph R. Vogel.

Paramount—Arthur H. Israel, Jr., chairman; Joseph H. Cooper, co-chairman; Leon D. Netter, Joe Unger.

RKO—Malcolm Kingsberg, chairman; Phil Reisman, Leon Goldberg, co-chairmen.

Republic—Milton Green.

Warners—Joseph H. Hazen, chairman; Max Blackman, Jules Levy, Herman R. Maier, Harold Rodner.

20th Century-Fox—Joseph M. Moskowitz, chairman; Irving Barry, Jack Blum, Aubrey Schenck, William Sussman.

United Artists—Paul N. Lazarus, chairman; Harry Gold, Monroe Greenthal.

Independent Producers—Budd Rogers, chairman; Edward A. Golden.

Universal—Joseph H. Seidelman.

National Screen Service—Herman Robbins, chairman; Toby Gruen.

Motion Picture Operators—Joseph D. Basson.

Film Importers—Max A. Schlesinger.

Motion Picture Exchanges—Harry Buxbaum, chairman; Nat Cohn, Morris Epstein, Joe Felder, Dave Levy, Myron Sattler, Edward Schnitzer, Charles Stern, Bob Wolf.

M.P.P.D.A.—Isroy M. Norr.

Artists—Phil Baker, Ben Bernie, Jesse Block, Eddie Cantor, Eddie Duchin, Benny Goodman, Lou Holtz, George Jessel, Abe Lyman, Dave Rubinoff, Ed Wynn.

Artists Representatives—William Morris, Jr., Marvin Schenck, co-chairmen; Harry Engel, Mike Hammer, Carleton M. Hub, Jesse Kaye, Mark Leddy, Samuel T. Lyons, Harry Mayer, Sidney H. Piermont.

Attorneys—William Klein, chairman; Julian T. Abeles, Louis Nizer, co-chairmen; Louis D. Frohlich, Mitchell Klupt, Louis Phillips, Charles Schwartz, Milton C. Weisman, William Weisman.

Broadcasting—Nat Abramson, Jerome Allen Danzig, Donald Flamm, Bertram Lebhar, Herbert Rosenthal.

Independent Theatres—Harry Brandt, chairman; William Brandt, Max A. Cohen, Leo Brecher, Simon H. Fabian, Louis Frisch, Sam Goodman, Arthur L. Mayer, Charles Moses, Walter Reade, Sr., Sam Rinzler, Sam Rosen, Max Rudnick, Edward N. Rugoff, Fred J. Schwartz, Jr., Edward Seider, Spyros Skouras, Joe Springer, Samuel Strassberg.

Laboratories—Alan E. Friedman, chairman; Jules Brulatour, Ralph Poucher, co-chairmen; Jack Goetz, Herbert J. Yates, Jr.

Dancing Schools—Arthur Murray.

Orchestras—William Alexander, William Goodheart, Harry Kalcheim.

Motion Picture Accessories—Benjamin S. Moss, chairman; Lawrence Bolognino, Bernard Brandt, Walter Barber, Jules Catsiff, Max A. Cohen, M. J. Fessler, George Feinberg, Emil Friedlander, William Freedman, Emanuel Frisch, Miss I. Garretson, Joe Hornstein, Joe Katsh, A. L. Kirwin, Stanley Kolbert, Ben Knobel, Fred Lakeman, Bud Lytton, Jerome M. Loeb, Milton Maier, Harry Mandel, Harry A. Nadel, Eugene Picker, Arthur M. Rapf, Walter Reade, Jr., Sam Rosen, Fred Schwartz, Jr., Edward Seider, Max Seligman, Charles Sonin, Monroe E. Stein, James E. Strook, Al Suchman.

Legitimate Theatres—Marcus Heiman, chairman; Ben A. Boyar, Howard Dietz, Sam Forrest, Harry M. Goetz, John Golden, Max Gordon, Harry Kaufman, William Klein, John Shubert, Lee Shubert.

Music Publishers, Composers—Louis Bernstein, chairman; Jack Robbins, co-chairman; Irving Berlin, Jack J. Bregman, Irving Caesar, Lou Diamond, Max Dreyfus, Saul Immerman, Jack Mills, Edwin H. Morris.

Publications—Jack Alicoate, Maurice D. Kann, Martin Quigley, Sid Silverman, Sam Shain, Louis Sobol.

Night Clubs—Ted Friend, Lou Brecher, Billy Rose, Hy Gardner.

Federation Representatives—Herman Sanders, Leo Friedland.

20th-Fox Men to Testify

Sidney R. Kent, Walter J. Hutchinson and Ben Miggins, 20th Century-Fox executives, were directed on Friday by N. Y. Supreme Court Justice Wasservogel to testify before trial on Nov. 26 in the suit of Marion Palmer as assignee of M. J. Messeri, who claims $6,112 part salary as manager in Spain.

All Contracts Called Illegal In U.S. Move

(Continued from page 1)

hibition charges similar to those in the original complaint are repeated, but not enlarged upon. Block booking and blind selling are characterized as illegal with a claim that all majors release a number of low price pictures which "most exhibitors do not wish to exhibit at all."

Violations Alleged

The complaint lists as practices which are in violation of the anti-trust laws the loan of personnel; exclusion of independent producers from the first run market; concerted action on fixing license terms; discrimination on license terms; and finally, coercive selling practices such as minimum admission prices, forcing of shorts and newsreels, overage and underage, score charges, advertising allowances and contract modifications.

The history of the eight companies, their financial position and a listing of the number of theatres operated by each is also set forth. The big five, according to the complaint, in the last five years have received approximately 70 per cent of film rentals while the little three received 25 per cent. The complaint also emphasizes a government contention that circuits, through buying power and their first runs, control the play dates and terms of licensing contracts granted to subsequent run houses.

Exhibitors Expected

Exhibitor representatives from all sections of the country are expected here within the next day or two to complete their preparations for opposing the consent decree at the hearing on Thursday before Federal Judge Henry W. Goddard. No postponement of the hearing is expected by the Government, despite the fact that changes in the arbitration rules were being made as late as last Tuesday, affording little opportunity for exhibitors far removed from New York either to receive or study a completed copy of the arbitration rules and decree.

It is still likely that Columbia, among the non-consenting companies, will oppose the decree in court. Universal and United Artists are not expected to do so.

Para. Heads Weigh Effects of Decree

(Continued from page 1)

out the country, designed for an exchange of operating ideas to aid the different circuits, also were discussed, as was the possible effect of increased admissions on future revenue.
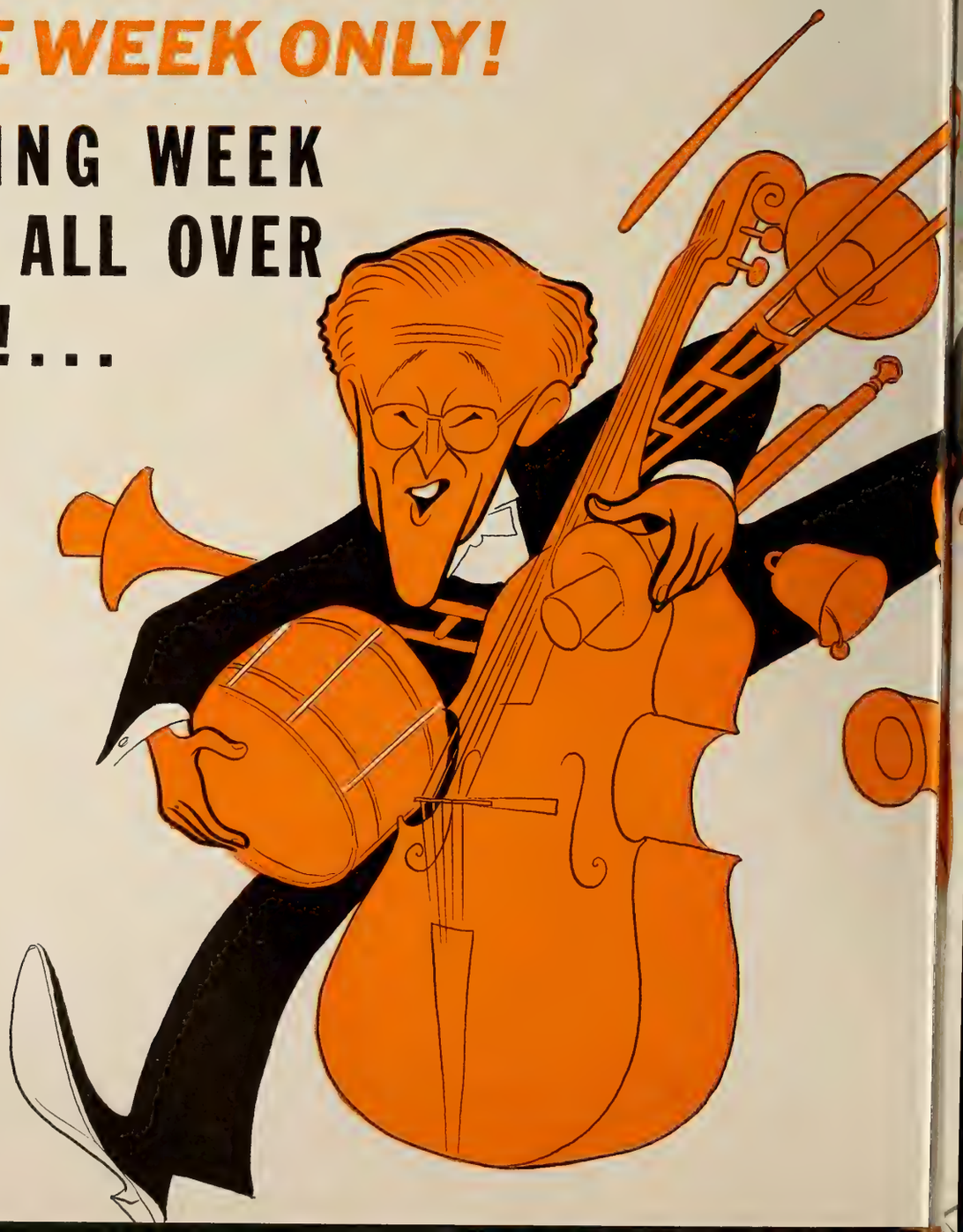
The operations of Balaban & Katz here, one of the most successful of Paramount's theatre affiliates, were described by John Balaban. Those attending were: Leonard Goldenson, Leon Netter, Sam Dembow, Robert Weitman and Claude Lee, all from the home office, and Balaban, Jules Rubens, Earl Hudson, R. J. O'Donnell, M. A. Lightman, J. J. Friedl, J. J. Fitzgibbons, Tracy Barham, Harry David, Harry Nace, Ralph Branton, A. H. Blank, M. J. Mullin and Sam Pinanski.

SENSATIONAL GALA WORLD PREMIERE AT BROADWAY'S GIGANTIC ROXY THEATRE THIS THURSDAY, WITH KAY AND HIS BAND IN PERSON

POSITIVELY LIMITED To The ONE WEEK ONLY!

THANKSGIVING WEEK ATTRACTION ALL OVER THE NATION!...

RKO RADIO PICTURES





KAY KYSER

IN THE MYSTERY WITH MUSIC

YOU'LL FIND OUT

WITH THOSE THREE BAD BAD-HUMOR MEN

PETER LORRE ★ **BORIS KARLOFF** ★ **BELA LUGOSI**



HELEN PARRISH

DENNIS O'KEEFE · ALMA KRUGER
and KAY KYSER'S BAND, featuring

GINNY SIMMS

HARRY BABBITT · ISH KABIBBLE
SULLY MASON AND
"THE COLLEGE OF MUSICAL KNOWLEDGE"

Produced and directed by
DAVID BUTLER

Screen play by James V. Kern

Hoblitzelle Gives Three Ambulances

Dallas, Nov. 10.—Karl Hoblitzelle has given three ambulances for service in Great Britain. One was given in his own name, one in the name of Interstate Circuit and the other in the name of Texas Consolidated Theatres, which he also heads. Each ambulance cost $1,350.

Century—20th-Fox Action Is Settled

The suit of 20th Century-Fox against Century Circuit for $70,000 damages for alleged violation of contracts to play 20th Century-Fox films during the 1938-'39 and 1939-'40 seasons was settled and discontinued in N. Y. Supreme Court on Friday. Century had counter-claimed for $75,000, claiming breach of contract by the plaintiff.

Terms of the settlement were not disclosed but attorneys stated that Century Circuit would continue doing business with the plaintiff.

La Crosse Action Is Delayed by Illness

MILWAUKEE, Nov. 10.—The sudden illness of Robert A. Hess, counsel for the LaCrosse Theatres Co., has resulted in the indefinite postponement of the theatre company's $1,476,000 suit in the U. S. District Court at Madison against United Artists, Paramount, 20th Century-Fox, Welworth Theatre Co. and Minnesota Amusement Co.

The case, now in its second week, is being heard before Federal Judge Patrick T. Stone and a jury.

Conn. Allied to Name Decree Hearing Unit

NEW HAVEN, Nov. 10.—Allied Theatre Owners of Connecticut will meet here Tuesday at the Hof-Brau Haus Restaurant, with A. M. Schuman presiding after a long absence because of illness.

The group will further discuss the consent decree, and name a committee to attend the hearing of exhibitors' complaints on the decree in New York on Thursday.

RKO Party for Kyser

Kay Kyser and members of his "College of Musical Knowledge" will be guests at a cocktail party given by RKO at the Starlight Roof of the Waldorf-Astoria at 5 P. M. today. Also as a guest will be Gilbert Wright, son of Harold Bell Wright, who has invented the Sonovox, a sound development, which, it is claimed, was used for the first time in Kyser's new film, "You'll Find Out."

Henie Verdict Ordered

A deadlocked jury in the commission suit of Richard Scanlan against Sonja Henie was instructed Friday by New York Supreme Court Justice Aron Steuer to hand up a sealed verdict tomorrow. Scanlan claims Miss Henie obtained her 20th Century-Fox contract through him. The trial lasted four days.

Critics' Quotes . . .

"THE THIEF OF BAGDAD" (Korda-U. A.)

The picture's too great length and occasional dramatic lapses are defects easily overbalanced by the striking handsomeness of it all . . . the supreme escapist film, an extraordinary treat for both the eye and the imagination. —*Virginia Wright, Los Angeles News.*

The most beautiful picture of this or any other year . . . a picture that everyone will want to see. . . . The direction of Ludwig Berger, Michael Powell and Tim Whelan is particularly noteworthy. . . . The scenario is credited to Lajos Biro, who can take a bow with everyone who had a part in this amazing spectacle.—*Louella O. Parsons, Los Angeles Examiner.*

The picture may have its dragging spots but it is veritably a revelation of the pictorial spirit and splendor of screen fantasy . . . really pictorial screen poetry; it lacks some of the more essential cinematics.—*Edwin Schallert, Los Angeles Times.*

A lavish and exquisitely presented fantasy; a highly imaginative thriller of "wonders" in which the creators of the scenic effects and the tricks shine above the stars of the film . . . a rare and beautiful production, but necessarily long.—*Jimmy Starr, Los Angeles Herald Express.*

"ESCAPE" (M-G-M)

Just as readers found it impossible to put down Ethel Vance's "Escape" before turning the final page, so the audience sat spellbound or gave way to nervous laughter throughout the accurate and gripping picture M-G-M has made from this hair-raising novel.—*Mildred Martin, Philadelphia Inquirer.*

An expert, adult and deeply stirring screen drama—one marked for a place among the year's best. . . . The film's success is threefold: A script that builds with tremendous suspense; an international cast of superlative talent, and a production of intelligence and taste.—*Elsie Finn, Philadelphia Record.*

Though we may feel that we have had a surfeit of Nazi propaganda pictures, when it comes to one so full of drama, excitement and suspense as "Escape," we may be glad that Hollywood decided to give us just one more. . . . Mervyn LeRoy keeps suspense and excitement at a high pitch. —*Dorothy Guinan, Philadelphia Daily News.*

Not since he made the memorable "They Won't Forget" of a few seasons ago has LeRoy exhibited such capacity for sustained excitement, such ability to turn stars into performers.—*Henry T. Murdock, Philadelphia Ledger.*

While interest occasionally lags, "Escape" is outstanding for moments of gripping suspense.—*Laura Lee, Philadelphia Bulletin.*

The screen version—excellently acted and comparing favorably with its source in the creation of an almost intolerable suspense—should prove as popular (as the book).—*Newsweek.*

S.P.G. Promised Support

The American Newspaper Guild's support to the Screen Publicists Guild in its negotiations for recognition and a contract with the major companies in New York was promised at a meeting of the S. P. G. late last week by Jack Ryan, Newspaper Guild organizer.

Mayo in S.A.G. Post

HOLLYWOOD, Nov. 10.—Harry Mayo has been appointed chairman of the Screen Actors Guild Class B Council, which governs the affairs of extra players.

W. B. Pittsburgh Fete

PITTSBURGH, Nov. 10.—Several hundred persons attended the Warner Club dinner and dance here tonight at the William Penn Hotel. James Totman, president, was chairman.

RKO Buys Hatch Story

"Unexpected Uncle," the Eric Hatch story recently serialized by *Liberty Magazine*, has been purchased by RKO.

Joseph J. Krause Dies

MILWAUKEE, Nov. 10.—Joseph J. Krause, 50, retired theatre manager, is dead here. For more than 25 years Krause was associated with the old Empress and Gayety theatres here. He is survived by a daughter, two sons, two sisters and two brothers.

Mrs. Lena Cohen Dies

LEWISTON, Pa., Nov. 10.—Mrs. Lena Cohen, mother of Harold D. Cohen, manager of the Embassy Theatre here, died last week after a long illness.

Si Rudnick Dies at 47

NEW HAVEN, Nov. 10.—Si Rudnick, 46, stagehand at the Loew-Poli here for the past 10 years, and prior to that at the old Hyperion and Bijou, died late last week of a heart attack.

Grapewin as Jeeter

HOLLYWOOD, Nov. 10. — Charley Grapewin has been assigned the role of Jeeter in "Tobacco Road" by 20th Century-Fox.

Lauds British Film Aid to Morale

LONDON, Nov. 10.

AT the annual licensing session of the London County Council, the legislative body of the municipality, held on Friday, Reginald Stamp, chairman of the Committee of Entertainment, paid tribute to the English film theatres and the industry.

He lauded the trade's "splendid work" in helping materially to sustain public morale in the face of continued bombing attacks by Nazi air raiders.

Ruling Sought on Sunday Vote in Pa.

Pittsburgh, Nov. 10.—Attorneys in several suburban cities have requested a legal ruling on the referendum on Sunday film shows last Tuesday on the ground that a number of voters wrote "Yes" on the ballot instead of marking an X. These ballots have been declared invalid by the election board. The official decision may decide the issue in at least three towns in Western Pennsylvania where the vote was close.

Brooklyn Operators Vote on Bargaining

A secret ballot to determine the collective bargaining agency for projectionists at the Venus, Graham and Radio Theatres, all in Brooklyn, has resulted in a vote of three for United Theatrical and M. P. Service Employes Union, two opposed and one vote challenged, the State Labor Relations Board announced Friday. The vote was held Thursday. The single challenge was made by the S.L.R.B. The challenged vote will not be counted until it is determined whether the challenge shall be upheld.

Indiana Meeting Is Delayed to Nov. 25

INDIANAPOLIS, Nov. 10.—To avoid conflict with Armistice Day, the board of directors of the Associated Theatre Owners of Indianapolis has changed the date of their annual convention, which was to have been tomorrow and Tuesday. The new date is Nov. 25 and 26. The place is still the Hotel Antlers here and exhibitors from Indiana, Ohio and Kentucky are expected to attend.

Producers Lab Sues 'U' Over 'Wife' Title

Producers Laboratories, Inc., filed suit Friday in N. Y. Supreme Court to restrain Universal from distributing "Hired Wife." An accounting is also asked. Producers claims it owns a film titled "A Hired Wife" and contends that Universal's picture "violates its exclusive right" to that title. The Roxy, which showed the film, is also made a defendant.

Warner Managers Leave After Meeting

Warner district managers returned to their headquarters over the week-end following home office conferences Thursday and Friday with Gradwell L. Sears, general sales manager; Carl Leserman, assistant, and Mort Blumenstock, advertising and publicity head in the East.

Atlas Sues Mexican Firm

Atlas Film Exchange, Inc., has filed suit in the New York Supreme Court for unstated damages against German Camus y Cia. Atlas claims that the defendant, a Mexican film company, violated an agreement to give the plaintiff U. S. distribution rights to the film "Cafe Concordia" for six years.

FAME

The Audit of Personalities

SIXTH ANNUAL
EDITION IS NOW
IN PREPARATION

THE INTERNATIONAL
INDEX TO PRODUCTION, TALENT
AND TECHNICAL VALUES IN THE
WORLD OF ENTERTAINMENT . . .

SCREEN • CONCERT • RADIO



One Dollar the Copy

EDITED BY TERRY RAMSAYE

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK

924 Announcers for 95 Mexico Stations

Mexico City, Nov. 10. MEXICO is well supplied with radio announcers, with 924 officially listed by the Ministry of Communications and Public Works.

Mexico has 95 active radio stations, and some have as many as 15 announcers. There are 12 feminine announcers in regular service in Mexico, a new occupation for Mexican women. One local station has four. A movement is afoot to organize the announcers into a separate union.

Seek Permission On 4 New Stations

WASHINGTON, Nov. 10.—Plans for the establishment of four new broadcasting stations have been placed before the Federal Communications Commission, with applications for construction permits.

The applications were filed by Richard Field Lewis, Jr., planning a 1,370-kilocycle, 250-watt station at Winchester, Va.; Texas Star Broadcasting Co., for a 1,210-kilocycle, 250-watt station at Houston, Tex.; Wayne M. Nelson, for a 1,380-kilocycle, 1,000-watt daytime station at Concord, N. H., and the Parkersburg Sentinel Co., for a 1,310-kilocycle, 250-watt station at Parkersburg, W. Va.

$1,781,174 Spent For Political Talks

(*Continued from page* 1)

payments for talent on commercial shows which were cancelled and telephone wire costs.

The Democrats paid $319,300 to $274,600 for the Republicans on CBS. Time bought by other parties was not included. The Republicans used 13¾ hours and paid $229,700 for time; $39,000 for talent; and $5,900 for line charges. The Democrats paid $260,000 for 12 hours in time; $54,500 in talent; and $4,800 for wires. The Democrats cancelled 6¼ hours of commercials on CBS while the Republicans cancelled 5¾ hours.

WTMJ, Milwaukee, Plans 'Radio City'

MILWAUKEE, Nov. 10.—Station WTMJ here, granted permission by the FCC to erect a new commercial FM station and a new experimental station, has announced plans for the construction of a $500,000 "Radio City."

Construction on the new studio building is planned for Spring and will include eight studios and an audience studio to seat 365 persons as well as a large sound stage for television.

Harry Keller New Colgate Publicist

Harry Keller has been named publicity director for Colgate-Palmolive-Peet Co. He will handle general public relations for the company as well as publicity for the nine network programs sponsored on behalf of Colgate-Palmolive-Peet products.

Off the Antenna

THE H. P. Davis Memorial Announcers Award, made annually to a Pittsburgh announcer considered outstanding by a board of judges composed of radio editors, diction scholars, players and others, was made this year to Walter Sickles of WWSW. William Hinds, KDKA, and Bob Donley, WCAE, were runners-up. First prize is $150 in cash and a gold medal.

• • •

Purely Personal: *Gov. Lloyd C. Stark of Missouri has designated Nov. 22 as Mary Margaret McBride Day. . . . "Go Ahead Garrison!" is the title of a book by A. A. Schecter, NBC director of news and special events, just published by Dood, Mead & Co. . . . Ida Bailey Allen has made a transcription for the Federal Works Agency on "America's First Line of Defense Is the Health of Her People." It will be released to* 600 *stations today.*

• • •

NBC took large ads in New York newspapers Friday to herald the dedication of the new WEAF transmitter. Program volume in Manhattan and New Jersey has been increased to at least eight times its former level, according to O. B. Hanson, vice-president and chief engineer.

• • •

WLAW, Lawrence, Mass., will join CBS Sunday as its 122nd affiliate. The station at the same time will start operating with 5,000 watts, 680 k.c., full time. WLAW will be part of the basic supplementary group and will be available at $100 per evening hour to sponsors using WEEI, Boston. The station is owned by Hildreth & Rogers Co., publishers of the Lawrence *Daily Eagle* and *Evening Tribune.*

• • •

Program News: *"Information, Please," which shifts to Fridays over NBC-Red this week, will also be heard at its former time of Tuesdays at* 8:30 *P.M. over WMCA. American Tobacco will sponsor the transcription. . . . Monarch Wine Co. is sponsoring a two-hour record dance program over WMCA from* 8-10 *P.M. Saturdays. One feature of the program will be "sit-out" numbers with Maurice Hart reading sport and news flashes. . . . Bathasweet will sponsor Ted Steele over WABC Tuesdays at* 6:15 *P.M. beginning next week. . . . Drezma will sponsor Nell Vinick in "Lessons in Loveliness" over WABC at* 8:25 *A.M. Tuesdays, Thursdays and Saturdays, starting tomorrow. . . . Dorothy Thompson, having lost sponsorship in eight cities when Par Soap cancelled, has obtained a new sponsor in Northwestern Mutual Savings & Loan Association for KVOX, Fargo, N. D., bringing her total to* 15.

• • •

Norman Corwin's "Seems Radio Is Here to Stay" will be repeated for the third time Friday night at 9:30 when the National Association of Broadcasters airs it over all networks as part of the 20th Anniversary Celebration.

• • •

"Radio and the Movies" will be the subject of discussion on the CBS "Lecture Hall" next Monday at 3:45 P.M. Alton Cook, *World-Telegram* radio editor, and Frank Farrell, amusement editor, will chart the parallel growth of broadcasting and the films and contrast the problems of both.

Theatre Changes

Leases Cincinnati Suburban

CINCINNATI, Nov. 10.—Louis Wiethe, owner of the suburban Bond and Westwood here and the Kentucky at nearby Latonia, Ky., has taken a 20-year lease on the new Roselawn, recently built in a suburb of that name. Henry Wieman, assistant at the Bond, will manage the Roselawn.

Montgomery House Opens

MONTGOMERY, Ala., Nov. 10.—The Charles Theatre, a 1,000-seat house which will show both first and subsequent run films, has opened here. Charles T. Rook, who operated two theatres in Watogna, Okla., for 15 years, is owner and manager.

To Build Wichita House

KANSAS CITY, Nov. 10.—J. C. Hartman will build a theatre in suburban Wichita, Kan., to play vaudeville and pictures. Hartman built two of Wichita's houses, the Uptown and Nomar.

Closes Vermont Theatre

MANCHESTER, Vt., Nov. 10.—Carl Nilman has closed the Playhouse Theatre here and will probably keep the theatre dark until next Summer.

Theatre for Jacksonville Suburb

JACKSONVILLE, Fla., Nov. 10.—Murray Hill, Jacksonville suburb, soon will have a theatre. The new house, to be operated by L. H. Holloway and associates, of Cordele, Ga., will seat 700.

Remodeling Iowa House

KANSAS CITY, Nov. 10.—Lewis Gaines is spending $20,000 remodeling, reseating and redecorating the Orpheum at Fairfield, Ia., which will reopen about Thanksgiving as the Coed.

Alaska House Changes Hands

SEATTLE, Nov. 10.—Advices received from Craig, Alaska, indicate that the operation of the Craig Theatre has been taken over by Andrew Zingers. Herbert George was the former owner.

To Build Ottumwa House

DES MOINES, Nov. 10.—The Tri-States Theatre Corp. and Jacob Cohen, partners in operation of theatres at Ottumwa, Ia., recently bought from E. J. Tilton of Des Moines the plans for erection of a new theatre at Ottumwa.

Critics Appraise Two Stage Shows About Hollywood

"Quiet, Please," produced by Jesse L. Lasky and Henry Duffy, was brought to Broadway Friday night after a successful run on the coast. It was the second of two plays about Hollywood to open in two nights, the first being "Beverly Hills," produced by Laurence Schwab and Brock Pemberton, and a third is on the way.

"Quiet, Please" was written by F. Hugh Herbert and Hans Kraly. Included in the cast are Jane Wyatt, Donald Woods, Ann Mason, Fred Niblo, Gordon Jones, Bruce MacFarlane, Anthony Kemble Cooper, Fred Sears, Judith Elliott and Herman Lieb.

Excerpts from critical opinions were: Burns Mantle, *News:* "What you might call almost good." Robert Coleman, *Mirror:* "Jane Wyatt is a tonic for jaded eyes. . . . A tale of movie studios told in boiler-factory fashion." Richard Watts, Jr., *Herald-Tribune:* "Clumsily and feebly written. . . . Players are remarkably successful." Brooks Atkinson, *Times:* "Haphazard in style, hackneyed in detail." Richard Lockridge, *Sun:* "A gently familiar love story."

"Beverly Hills" was written by Lynn Starling and Howard J. Green, with a cast including Helen Claire, Enid Markey, Peter Goo Chong, Robert Shayne, Frank Chew, Doro Merande, Clinton Sundberg, Ilka Chase, Violet Heming, William J. Kelly, Mona Moray, William Talman, Fred de Cordova and Lea Penman.

Appraisals included: Sidney B. Whipple, *World-Telegram:* "It is too old and too familiar. Abounds in double-entendres." Richard Lockridge, *Sun:* "I could not detect that the authors had said anything very funny or managed anything very well."

R.M.A. and I.R.E. Meet in Rochester

ROCHESTER, Nov. 10.—Demonstrations of frequency modulation broadcasting and other advances in radio engineering will feature the annual Fall meeting of the Institute of Radio Engineers and the Radio Manufacturers Association opening here tomorrow for three days.

Several hundred executives and manufacturers are expected to attend. A preliminary session was held today. Among speakers listed are Albert Saunders, Medford, Mass., president of the Radio Tecnicians Guild; James S. Knowlson, R. M. A. president; Dr. Alfred N. Goldsmith, New York; Walter Jones, Emporium, Pa.; Norman D. Israel, Robert Herzog, L. C. F. Horle, W. R. G. Baker, Keith Henney and Henry Shreve, New York, and Ralph A. Hackbush of Canada.

Lee MacEwen Dies

CINCINNATI, Nov. 10.—H. Lee MacEwen, 53, formerly in charge of the WLW news room here, but more recently writing copy for the news rooms of WHAS and WAVE, Louisville, died at his home here following a six months' illness.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Impartial

FILE COPY DO NOT REMOVE

M. P. PRODUCERS & DISTRIBUTORS OF AM., INC
28 WEST 44TH ST.,
NEW YORK,
N. Y.
(3 COPIES)

VOL. 48. NO. 94 NEW YORK, U. S. A., TUESDAY, NOVEMBER 12, 1940 TEN CENTS

W.B.-Sparks Florida Rift Grows Wider

Owner of New House to Get Warner Product

Warners officially disclosed yesterday that their controversy with the E. J. Sparks Circuit in Florida is continuing and that a product deal has been closed with the owner of a theatre now under construction in Jacksonville. The breach between Warners and Sparks has been in existence more than a year and a half.

The St. Johns Theatre, as it will be known, will be the first of a circuit to be created and operated by the St. Johns Amusement Corp., which is headed by Arthur J. Siegel, who recently resigned from Warner Bros. Pictures, according to a Warner announcement.

This circuit will be built for purposes of competition with Sparks theatres. The St. Johns will seat 1,000, Warners' statement said.

The Sparks-Warner controversy was taken up recently when Barney Balaban, president of Paramount, and Harry M. Warner, president of Warners, negotiated the settlement of a product dispute in Philadelphia. The Sparks group is a Paramount affiliate.

Premiere of Ritter Film in Tulsa Nov. 17

"Take Me Back to Oklahoma," Monogram's new Tex Ritter musical western, will be given a world premiere at Tulsa, Nov. 17, 18 and 19. Bob Wills and his Texas Playboys, a hill-billy band which has been featured on KVOO, Tulsa, twice weekly for the past seven years, will join with Ritter and other members of the cast in a colorful parade.

IATSE Men to Meet U. S. Administrator

Hollywood, Nov. 11.—Business representatives of I.A. T.S.E. studio locals will begin a three-day meeting here tomorrow with E. M. Cocking, regional Wages and Hours Administrator, on the clarification of workers' classifications made recently under new interpretations of the law. The meeting will be part of a series being held by Cocking with all studio labor groups. Several sessions have been held already.

Illinois Allied and Operators Set Pact

Chicago, Nov. 11.—Jack Kirsch, president of Allied Theatre Owners of Illinois, today concluded negotiations with the Chicago operators' union on a new contract covering Illinois Allied members, including largely Chicago independents.

The new contract represents no changes in terms from earlier agreements between the two. The same wage scale is continued and no provision is made in the new contract for meeting the operators' demands for vacations with pay.

Air Copyright Fee Rise Due in Canada

TORONTO, Nov. 11. — Copyright trouble looms for the broadcasting studios of Canada in the intimation from the Canadian Performing Rights Society that the schedule of fees for use of the many compositions controlled by the society will be increased Jan. 1, providing the increase receives the approval of the Copyright Appeal Board of the Dominion Government which will hold a hearing after Dec. 1.

The society has advised the film industry that no change is contemplated

(*Continued on page 6*)

'Police' to Gross About $74,000 In Big Para. Week

"North West Mounted Police," with Glen Gray and his band and Red Skelton on the stage, playing to increased prices and a slight change of policy under which these prices go into effect earlier, is sweeping the Paramount Theatre to an almost unheard of weekly gross of $74,000 in the anniversary week of the house.

The week closes tonight and the gross will be just about the biggest in the history of the present stage band policy of the theatre which was initiated by Bob Weitman, managing director, some years ago.

The theatre is charging 44 cents matinees where heretofore it charged 35 cents, and 65 cents instead of 55 cents. Additionally, the performances are beginning at 8 a. m. daily and the 99-cent top price was put into effect at 2 p.m. on Saturday and Sunday, rather than in the evening.

The picture, of course, is holding over.

There were big weekend crowds in Times Square, with grosses up along the entire Street. "Escape," at the Radio City Music Hall with stage show grossed nearly $57,000, until yesterday. This Metro film will probably stay at the theatre for three weeks, before it will be followed by another M-G-M picture, "Bittersweet."

At the Rivoli, "Christmas in July"

(*Continued on page 4*)

Columbia Will Oppose New U.S. Complaint

Will Also Oppose Decree At Hearing Thursday

Columbia will oppose the Government's application in U. S. District Court here Thursday for leave to file an amended complaint against the three non-consenting companies in the New York anti-trust suit, it was learned yesterday.

Grounds of the opposition are expected to be closely linked with Columbia's opposition to the consent decree itself, which company lawyers will also voice at Thursday's hearing before Judge Henry W. Goddard.

Meanwhile, industry attorneys who studied the 70-page amended complaint yesterday expressed interest in the discovery that the Department of Justice has abandoned in the new complaint its original contention that production and distribution should be separated.

At the court hearing on Thursday, Columbia, it is believed, will contend that nothing has occurred in the way of trade practice changes or industry conditions since the Government's original complaint was filed in June, 1938, against the eight principal com-

(*Continued on page 4*)

37 New Features in Work As 10 Are Begun on Coast

HOLLYWOOD, Nov. 11.—Thirty-seven pictures were before the cameras this week, as 10 started and nine finished. Sixteen are being prepared and 75 are being edited.

The tally by studios:

Columbia

In Work: "Legacy," "Penny Serenade."

Started: "The Face Behind the Mask," "Blondie Goes Latin."

Korda

Finished: "Lady Hamilton."

Lubitsch Productions

Started: "That Uncertain Feeling."

M-G-M

In Work: "Come Live with Me," "Keeping Company," "Maisie Was a Lady," "Wild Man of Borneo."

Started: "The Ziegfeld Girl," "Men of Boys Town."

Monogram

Finished: "Her Father's Daughter."

In Work: "Under Texas Stars."

Paramount

Finished: "In Old Colorado."

In Work: "I Wanted Wings," "Shepherd of the Hills," "Reaching for the Sun," "The Lady Eve."

Started: "The Road to Zanzibar," "New York Town."

RKO

Finished: "Citizen Kane," "Kitty Foyle."

In Work: "A Girl, a Guy and a Gob," (formerly "Three Girls and a Gob"), "The Saint in Palm Springs."

Started: "Along the Rio Grande."

Republic

In Work: "Behind the News," "Bowery Boy," "Lone Star Riders."

Roach

In Work: "Topper Returns."

(*Continued on page 4*)

4 Groups to Contest Pact

Certain exhibitor opposition to the consent decree is limited to four organizations. Opposition from two other possible sources is doubtful.

Definitely committed to oppose the approval of the decree by Federal Judge Henry W. Goddard in U. S. District Court here Thursday are the following: Allied States, Allied of New York (an M.P.T.O.A affiliate), I.T.O.A. of New York and the Pacific

(*Continued on page 4*)

Reviewed Today

Reviews of "Give Us Wings" and "Gallant Sons" will be found on Page 5.

Para. Executives Begin Coast Parley

HOLLYWOOD, Nov. 11.—Conferences of Paramount's home office, studio, sales and theatre executives got under way here today in two separate sessions.

Neil F. Agnew, vice-president and distribution head, met with theatre operating associates of the company at the Ambassador Hotel, while home office executives met with Y. Frank Freeman, vice-president and studio head, and William Le Baron, production head, at the studio.

The sessions will continue throughout the week and may last longer, company spokesmen said. A joint meeting of all the operating representatives will be held at the studio today.

Among the subjects under discussion are Paramount's production plans for the 1941-'42 season, the company's television activities, the effect of the consent decree on studio, distribution and theatre operations, and general theatre operating problems.

Moray Due at Studio

HOLLYWOOD, Nov. 11.—Norman H. Moray, Warners shorts sales manager, is due here Nov. 18 to set up the shorts program for 1941-'42. The studio is now winding up the current season's shorts production.

McCarthy to Boston

F. J. A. McCarthy, Eastern sales manager for Universal, leaves for Boston today to negotiate a circuit deal with E. M. Loew Theatres. He will return in a few days.

MAINLINERS
to
LOS ANGELES



NO CHANGE OF SLEEPERS

The Continental Lv. 5:10 pm
The Overland Flyer Lv. 11:30 pm

Luxurious thru coast-to-coast Mainliners — at United's high, smoother flight levels.

Travel agents, hotels, or

UNITED AIR LINES

67 Wall St. or 58 E. 42nd St.
MU-2-7300

Personal Mention

GEORGE J. SCHAEFER, RKO president, plans to return to the Coast within the next few days.

•

POSTMASTER GENERAL FRANK C. WALKER, CHARLIE CHAPLIN and GENE BUCK were guests at the National Press Club annual dinner in Washington Saturday.

•

ROBERT GILLHAM, Paramount advertising and publicity director, has postponed his departure from Florida until the end of the week.

•

JOSEPH MILLER, Albany branch manager for Columbia, and MRS. MILLER were hosts on Saturday to some 200 exhibitors and exchange representatives at the celebration of the Bar Mitzvah of their son, TRACEY B. MILLER.

•

MORRIS JOSEPH, Universal manager in New Haven, is recuperating at home after an illness of two months at Grace Hospital.

•

IRVING H. LUDWIG has resigned as manager of the Art Theatre, Greenwich Village, which has been taken over by the Brandt Circuit.

•

GEORGE KURLANSIK, owner of the Towne and the Transit theatres; PERRY R. HOFFMAN, owner of the 19th Street, and LEO TRAINOR, manager of Rialto, have been named on committees for the 1940 Community Chest campaign of Allentown, Pa.

•

T. P. TIDWELL, 20th Century-Fox salesman in Dallas, is in the St. Paul Hospital, Dallas, with a back ailment.

•

JOSEPH G. SAMARTANO, manager of the Palace, Meriden, Conn., has been elected president of the Kiwanis Club there.

•

SIDNEY SWIRSKY, Columbia booker in New Haven, and MRS. SWIRSKY celebrated their wedding anniversary here over the weekend.

CHARLES E. McCARTHY, 20th Century-Fox advertising and publicity director, is due on the Coast tomorrow from New York.

•

LYNN FARNOL, United Artists advertising and publicity director, is expected from the Coast by plane tomorrow.

•

PAUL LAZARUS, JR., MAURICE BERGMAN, EDWARD PESKAY, WALTER FUTTER and LOU POLLOCK lunching at the Tavern yesterday.

•

HARRY COHN, JACK COHN, JAMES MULVEY, NATE SPINGOLD and WILLIAM BRANDT having lunch yesterday at Lindy's (51st St.).

•

RUBE JACKTER, LOU WEINBERG, IRVING SHAPIRO and ARCHE MAYER at Lindy's (next to the Rivoli) yesterday for lunch.

•

WILLIAM DIETERLE, CHARLES CURRAN, ARTHUR KRIM, CLAYTON BOND, GUY BOLTON, VINCENT TROTTA, LEE SHUBERT and JOHN GOLDEN having lunch at Sardi's yesterday.

•

TOBY GRUEN, HARRY BRANDT, JOHN W. HICKS, WILLIAM F. RODGERS, TED O'SHEA, ED SAUNDERS, JOHN W. HICKS and MAX A. COHEN lunching yesterday at Nick's Hunting Room in the Astor.

•

HERBERT I. LEEDS, 20th Century-Fox director, arrived here yesterday by plane from the Coast with MRS. LEEDS.

•

MRS. CHARLES SMAKWITZ of Albany, wife of the Warner Theatre district manager, is recuperating in the Albany Hospital after an operation.

•

OWEN CLEARY, publicity man for the Fulton in Pittsburgh, is back on the job after a long illness.

•

MRS. LEW FORMATO, wife of Warners' Philadelphia booker, gave birth to a son last week.

Columbia Executives To 'Arizona' Opening

Columbia home office executives will attend the two-day celebration at Tucson, Ariz., in conjunction with the world premiere of "Arizona" on Friday.

Harry Cohn, president, will leave New York by plane tomorrow afternoon. Flying with him to Tucson will be Jack Cohn, Nate Spingold, Louis Weinberg, Louis Astor and Max Weisfeldt. Abe Montague, general sales manager, and Rube Jackter, assistant, left by plane yesterday. Division Managers Phil Dunas, Carl Shalit, Sam Galanty and Jerome Safron, and Wayne Ball, Los Angeles branch manager, also will attend.

Approve Two Films

CHICAGO, Nov. 11.—Reversing prior rulings of the Chicago censor board, Police Commissioner Allman today ordered permits issued for the exhibition of "After Mein Kampf" and "The Goosestep." The latter title was changed from "Hitler, Beast of Berlin."

To Honor Duffy at Albany Testimonial

ALBANY, Nov. 11.—Exhibitors and exchange personnel in the Albany-Utica territory will tender a testimonial banquet next Monday at the DeWitt Clinton Hotel here to Fred Duffy, Republic salesman, who is retiring at the end of this week because of ill health.

In charge of arrangements are Richard Hayes, Paramount salesman; Gene Vogel, M-G-M salesman, and Arthur Newman, Republic branch manager. Duffy will be succeeded by Gene Lowe, former Universal and Republic salesman under Bernie Mills.

Schenck Talks to Group

Marvin Schenck of Loew's at a committee rally at the Hotel Astor yesterday announced a large program for the annual "Night of Stars" show for refugee relief at Madison Square Garden Nov. 27. Schenck is chairman of the producers' committee. Nathan Straus, general chairman, was host to the group at a cocktail party.

Charity Auction

Birmingham, Nov. 11

FIRST ticket to the new Charles Theatre here was auctioned off for $130, the proceeds going to charity. Col. Marion Rushton, prominent attorney, acted as auctioneer. Charles Rook is owner-manager of the house.

Canadian Clearance Board Facing Delay

TORONTO, Nov. 11.—Difficulties have developed in connection with the formation of a National Clearance Board for the Canadian film industry with regard to representation for sections of the trade.

A meeting of the Film Section of the Toronto Board of Trade has been called for Nov. 19 for consideration of the whole setup, probably with the film exchanges included. The circuits already have named three representatives but the organized independents have not announced their three delegates because of difficulty in choosing officials for the Atlantic Coast and Western Canada zones.

Kyser and Wright Are Guests at Party

Gilbert Wright, who is a son of Harold Bell Wright, and invented the Sonovox, which RKO officials describe as a "new sound development, said to be used for the first time in RKO's "You'll Find Out," new Kay Kyser picture, was a guest of honor, with Kyser, at a cocktail party given by RKO yesterday, at the Waldorf-Astoria.

Attending were S. Barret McCormick, Ned E. Depinet, Bob Mochrie, Jack Pegler, Cresson Smith, Gus Eyssell, Sam Shain, James Cron, Lester Cowan, Harry Mandel, Martha Sleeper, Ken McCaleb, Jr., Leo Brady, Jack Harrison, Kelcey Allen, William Boehnel, Rowland Field, Al Sindlinger, Herbert Cohen, James Powers, A. W. Smith, Jr., M. J. Poller, Rutgers Neilson, Fred Smith, Maurice Kann, Pete Harrison, J. J. O'Connor, Fred Meyers, Chester Bahn, Sherwin Kane and others.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York. N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

TAKE IT...DON'T LEAVE IT!

Double Your Grosses

with Radio's overnight sensation
...now an overwhelming screen hit!



BOB HAWK
(Himself)
brings you his most famous radio winners in a hilari-ously amusing short...

"TAKE IT OR LEAVE IT"

COLUMBIA PICTURES

A COLUMBIA "QUIZ" REEL
***Directed by* B. K. Blake**

Heard on the air by millions from coast-to-coast over Columbia's nationwide network. Millions from coast-to-coast now waiting to see it on the screen!

Columbia Will Oppose New U.S. Complaint

(*Continued from page* 1)

panies to justify amendment of the complaint now.

Columbia may also point out to the court that the chief purpose of the amended complaint is to bring the three non-consenting companies under the consent decree. Counsel is expected to relate in detail why it believes it could not operate under the proposed consent decree, in support of the company's opposition.

Industry attorneys yesterday expressed the opinion that most of the seven points advanced by the Government in its new complaint as contributing to the alleged illegality of existing license agreements have been upheld by the Federal courts in previous contract actions.

J. Noble Braden, executive secretary of the American Arbitration Association, will leave Saturday for Los Angeles by plane to begin his visits to the 32 exchange cities in which arbitration boards will be established. He will complete the local panels of arbitrators, select staffs and office space and generally arrange for the functioning of the boards.

Clerks for the local boards, it was said, will be selected on the same basis as the arbitrators themselves; that is, they must have no previous connections in the industry, and will be selected for their business or legal experience. Information to this effect has been given to Abram F. Myers, Allied States general counsel, in reply to his query.

The map of the arbitration districts provided for under the decree has been completed and was sent to Washington yesterday for approval.

Review Board Opens Meeting Thursday

The National Board of Review of Motion Pictures will open its annual conference at the Hotel Pennsylvania on Thursday. The three-day meeting will be attended by delegates from 37 states and, and for the first time, the sessions will be open to the public.

"New Frontiers for American Movies" will be the theme of the conference. Walt Disney's "Fantasia" will be screened for the delegates, and they will attend a New York University course on motion pictures.

Judge Stephen S. Jackson, Oliver T. Griswold and Vyvyan Donner will speak on Friday morning, and Ilka Chase, Margaret Farrand Thorp, Catherine Edwards and a representative of the Gallup Institute of Public Opinion will speak Friday afternoon. The Young Reviewers will meet Saturday morning, and the conference will conclude with a luncheon on Saturday.

Siegel Returns to Coast

HOLLYWOOD, Nov. 11.—M. J. Siegel, head of Republic Productions, arrived today from New York after three weeks of home office conferences.

Declares Milwaukee Patrons Want Duals

Milwaukee, Nov. 11.—L. Roy Pierce, district supervisor for the Fox Wisconsin Amusement Corp., in an address before members of the Better Films Council at the YMCA here, declared that local film patrons want double feature programs and that exhibitors who have attempted to develop bills around a single feature have experienced a sharp drop in patronage.

4 Groups to Contest Pact

(*Continued from page* 1)

Coast Conference of Independent Theatre Owners.

On the doubtful side are national M.P.T.O.A. and Paramount theatre associates.

Allied States will be represented by Abram F. Myers, general counsel and chairman of the board; Allied of New York, by Jacob Schechter, counsel; I.T.O.A. by Milton Weisman, counsel, and P.C.C.I.T.O. by Paul J. Ziegler, Los Angeles attorney. Zeigler will arrive from the Coast by plane today with instructions to oppose approval of the decree on the ground that it is "not a solution to any problem confronting the industry."

Ed Kuykendall, M.P.T.O.A. president, arrived in New York from his Columbus, Miss., home last night but was unable to state whether national M.P.T.O.A. would actively oppose the decree on Thursday. He said the subject was still under consideration and a decision probably would be made today.

R. B. Wilby, representative of the Paramount theatre associates, failed to arrive in New York from Atlanta yesterday as expected, adding doubt to the probability of opposition to the decree from that source.

Plan Stage Shows In Miami Houses

MIAMI, Nov. 11. — Leading entertainers who will be in Miami this Winter will be featured in stage presentations at the Olympia and at the new Paramount theatre at Miami Beach.

Stage shows in addition to regular film fare will be the policy of these theatres through the season.

Set Midnight Shows

HAMILTON, O., Nov. 11. — The Northio Palace hereafter will play a midnight show on Saturdays, at which the current double features will be shown in addition to the two features which are booked to open at the house on Sunday. Admission will be 28 cents.

Film Company Formed

DOVER, Del., Nov. 11. — Everyday America Productions, Inc., has been formed here to deal in motion pictures with a capital of $100,000. The incorporators were: L. M. Titter, O. B. Clayton and F. Picciotti of Wilmington.

'Police' to Gross About $74,000 In Big Para. Week

(*Continued from page* 1)

grossed an estimated $17,000 for its first week and starts its second today. "Seven Sinners" will open there Saturday.

"Tugboat Annie Sails Again" with Jack Haley, Priscilla Lane and Teddy Powell's band on the stage at the Strand grossed an estimated $12,000 over the weekend. It will be held over. The first three days of the second week for "Mark of Zorro" with a stage show at the Roxy was good for an estimated $27,000. "You'll Find Out" with Kay Kyser's band on the stage as well as in the film will open there Thursday.

Still going strong at both the Capitol and the Astor, "The Great Dictator" should gross an estimated $50,000 and $17,000, respectively, for the fourth week at both houses ending tonight. The film is continuing at both houses.

There will be a press preview for "Fantasia" at the Broadway tonight, preceding a gala premiere for the benefit of the British War Relief Society tomorrow night. The regular run will start Thursday.

The second week of "East of the River" was good for an estimated $5,000 at the Globe and was followed on Saturday by "Girls Under 21." At the Rialto, "Cherokee Strip" drew an estimated $5,300 for the week with "The Devil's Pipeline" following on Saturday.

Philadelphia Unions Nominate Officers

PHILADELPHIA, Nov. 11.—Nominations of officers for the Philadelphia Musicians' Union, Local 77, have been completed. Elections will be held Dec. 13. Charles McConnell, music contractor for the Warner theatres, opposes incumbent Frank P. Liuzzi for president; Romeo Cella, a past president, is teamed with McConnell for vice-president against Ralph Kirsch. For secretary, incumbent A. Rex Riccardi is opposed by Lewis Ingber and Glen Coolidge. Joe Bossle is unopposed to continue as treasurer.

The Film Exchange Employes Union has nominated the following officers for the new year: Harry O. Cohan, Harry Dressler, James A. Flynn and William Z. Porter, president; Fred Fortunate and James McWilliams, vice-president; Mollie Cohen and James McWilliams, secretary; Marie Hause, treasurer; and Harry O. Cohan and James A. Flynn, business agent. Nominees are given 10 days to signify their willingness to run. Elections will be held Dec. 13.

'Wine' in Work Dec. 16

HOLLYWOOD, Nov. 11. — "New Wine," film which William Sekely is producing in conjunction with Alexander Korda, is scheduled to go into work Dec. 16. Albert Basserman has been signed for a role in the picture, which will be a United Artists release.

Date Basketball Game

National Screen Service's basketball team will play M-G-M at the Heckscher Foundation on Nov. 23. A dance will follow the game.

37 Features Now Shooting; 10 Are Started

(*Continued from page* 1)

Rowland

In Work: "Cheers for Miss Bishop."

20th Century-Fox

In Work: "Western Union."

Universal

Finished: "The Invisible Woman," "Riders of Death Valley."

In Work: "Trail of the Vigilantes," "Back Street," "Where Did You Get That Girl."

Started: "Who's Crazy Now?"

Warners

Finished: "Trial and Error," "Case of the Black Parrot."

In Work: "The Wagons Roll at Night," "Footsteps in the Dark," "Strawberry Blonde, "Father and Son," "Far Horizon."

Started: "The Sea Wolf."

Philadelphia Group Forms Film Society

PHILADELPHIA, Nov. 11.—A local group of socialites has organized a non-profit Film Society of Philadelphia for the showing of famous films in cinema history, made available to the group by the Museum of Modern Art Film Library in New York.

The programs, six in number, will be given in the foyer of the Academy of Music, open to members only. Listed for the first evening, which will cover the development of the narrative, will be shown the "Execution of Mary, Queen of Scots," "Wash-Day Trouble," "A Trip to the Moon," "The Great Train Robbery," "Faust" and "Queen Elizabeth" with Sarah Bernhardt as the star. Subsequent programs will follow on Dec. 2, Jan. 13, Feb. 3 and March 3, with the final showing on March 31.

Legion Approves Ten New Pictures

The National Legion of Decency has approved 10 new films, four for general patronage and six for adults. The pictures and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Bury Me Not on the Lone Prairie," "Fugitive from a Prison Camp," "Riders on Black Mountain," "So You Won't Talk," Class A-2, Unobjectionable for Adults —"Charter Pilot," "Lady with the Red Hair," "Magic in Music," "The Mark of Zorro," "Moon Over Burma," "Who Killed Aunt Maggie?"

Wins Assessment Cut

PHILADELPHIA, Nov. 11.—In appealing before President Judge Frank Smith in Common Pleas Court, Warners' Frankford, neighborhood house, had its property assessment cut from $241,600 to $231,555.

Hale to RKO Pathe News

Dudley Hale, formerly with Lennen and Mitchell in New York and the Sun Advertising Co., Toledo, has been signed as a script writer by RKO Pathe News.

'Mounted' Is Smash in L.A. With $30,000

LOS ANGELES, Nov. 11.—"North West Mounted Police" smashed through at the Paramount for $30,000, at advanced prices. The house established a new weekend record. "The Howards of Virginia" and "Lady in Question" took $9,000 at the Hillstreet and $10,000 at the Pantages.

Estimated takings for the week ending Nov. 6:

"Third Finger Left Hand" (M-G-M)
"Haunted Honeymoon" (M-G-M)
CHINESE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $10,700. (Average, $12,500)
"Thief of Bagdad" (U.A.)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 3rd week. Gross: $6,600. (Average, $17,000)
"Foreign Correspondent" (U.A.)
4 STAR—(900) (55c-75c) 7 days, 6th week. Gross: $3,400. (Average, $3,250)
"The Howards of Virginia" (Col.)
"The Lady in Question" (Col.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $9,000. (Average, $6,500)
"Third Finger Left Hand" (M-G-M)
"Haunted Honeymoon" (M-G-M)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $13,500. (Average, $14,00)
"The Howards of Virginia" (Col.)
"The Lady in Question" (Col.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $10,000. (Average, $7,000)
"North West Mounted Police" (Para.)
PARAMOUNT—(3,595) (44c-55c-75c) 7 days. Stage: Fanchon & Marco "On Parade;" Rube Wolf & Orchestra. Gross: $30,000. (Average, $18,000)
"Dispatch from Reuter's" (W.B.)
WARNER BROS. (Hollywood)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $8,600. (Average, $14,000)
"Dispatch from Reuter's" (W.B.)
WARNER BROS. (Downtown)—(3,400) (33c-44c-55c-75c) 7 days. Gross: $8,700. (Average, $12,000)

'Dictator' Garners $13,000, New Haven

NEW HAVEN, Nov. 11.—"The Great Dictator," with admissions at double normal, took $13,000 at the Loew-Poli. The picture moves to the College for a second week. "A Little Bit of Heaven" and "The Mummy's Hand" took $6,000 at the Paramount.

Estimated takings for the week ending Nov. 7:

"The Villain Still Pursued Her" (RKO)
"I'm Still Alive" (RKO)
COLLEGE — (1,499) (28c-39c) 7 days. Gross: $1,600. (Average, $2,700)
"The Great Dictator" (U. A.)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $13,000. (Average, $8,000)
"A Little Bit of Heaven" (Univ.)
"The Mummy's Hand" (Univ.)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $6,000. (Average, $4,000)
"Tugboat Annie Sails Again" (W. B.)
"Pastor Hall" (U. A.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $4,200. (Average, $5,000)

'Arise' Is Omaha Leader at $7,200

OMAHA, Nov. 11.—"Arise My Love" pulled $7,200 at the Omaha for the best of a mediocre week. The weather was cool and windy.

Estimated takings for the week ending Nov. 6-7:

"Angels Over Broadway" (Col.)
"Blondie Has Servant Trouble" (Col.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $3,800. (Average, $4,000)
"Arise My Love" (Para.)
"Yesterday's Heroes" (20th-Fox)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $7,200. (Average, $6,000)
"Rangers of Fortune" (Para.)
"Public Deb No. 1" (20th-Fox)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $6,800. (Average, $7,200)

Hollywood Reviews

"Give Us Wings"
(*Universal*)

Hollywood, Nov. 11

UNIVERSAL'S "Give Us Wings," capitalizing upon the current appeal of aviation to American youth, is a story of riotous comedy tempered with air thrills and tragedy. It tells of five boys leaving the National Youth Administration mechanics' class to accept jobs as pilots for a shady character who runs a "crop dusting" firm, which engages in spraying insect-destroying chemicals on planted fields from airplanes.

Menaced constantly by the use of condemned equipment, the youths turn on their employer when one of their number is killed. In the climax, one of the boys, flying a crop dusting plane, sprays chemicals on the automobile of the fleeing criminal and then later on the plane in which he attempts to escape. The "Dead End" kids, Billy Halop, Huntz Hall, Gabriel Dell, Bernard Punsley and Bobby Jordan, are featured, with Wallace Ford, Anne Gwynne, Victor Jory, Shemp Howard, Milburn Stone, Harris Berger and Billy Benedict in support.

Charles Lamont, director, and Ken Goldsmith, associate producer, present production value on the screen far in excess of their budget. Arthur T. Horman and Robert Lee Johnson wrote the screenplay from an original by Eliot Gibbons.

Running time, 62 minutes. "G."* VANCE KING

"Gallant Sons"
(*M-G-M*)

HOLLYWOOD, Nov. 11.—Off the beaten track in a number of particulars, this comedy-melodrama is principally played by adolescents and pointed for the junior trade. Youngsters in it are Jackie Cooper, Bonita Granville, Gene Reynolds, June Preisser, Leo Gorcey, Tommy Kelly, William Tracy and background players of like age. Adults are Gail Patrick, Ian Hunter, Edward Ashley, El Brendel and Minor Watson, but the young folk are to the fore throughout.

The story by William R. Lipman and Marion Parsonnet opens with the gambler father of one of the youngsters going to jail for a murder he didn't commit. The boy and his associates, high school students, set out to prove the gambler's innocence and, after varied adventures, enact an amateur stage play, *a la* "Hamlet," with intent to provoke a confession from the suspected murderer in the audience. The plan succeeds and happiness follows for all.

George B. Seitz directed. Frederick Stephani produced.

Running time, 70 minutes. "G."* ROSCOE WILLIAMS

*"G" denotes general classification.

Raft's Role 'Refusal' Is Explained by Warners

Hollywood, Nov. 11

WARNERS has explained that GEORGE RAFT, although he refused to play an announced role in "The Sea Wolf," is not at odds with the studio. The studio, in order to meet its contractual obligations, it was explained, announced RAFT for the film, which will star EDWARD G. ROBINSON, and gave him a starting date, in order to hold the star for another picture. However, the announced role did not fit RAFT, nor was it intended to, and JOHN GARFIELD subsequently was given the role.

• •

M-G-M has purchased "Random Harvest," JAMES HILTON'S new novel. . . . Paramount has signed CONSTANCE MOORE to a term deal. MISS MOORE has been free lancing for the last three months, since leaving Universal. She goes into "Las Vegas Nights." . . . Warners has signed MARY ASTOR for "Far Horizon," starring BETTE DAVIS and GEORGE BRENT. . . . HARRY DAVENPORT goes into "That Uncertain Feeling," Ernst Lubitsch production for United Artists. . . . KEYE LUKE will go on a personal appearance tour with Monogram's "Phantom of Chinatown," first in the new series of "James Lee Wong" stories at the studio.

• •

Laraine Day and Ronald Reagan, the latter borrowed from Warners, will have the romantic leads in M-G-M's "Bad Man," starring Wallace Beery. . . . Paramount has extended the contract of Preston Foster. . . . Arch Heath replaces Franklyn Adreon, one of the serial writers at Republic, Adreon having been called to duty in the U. S. Marines, 22nd Battalion. Republic has assured him his job will be waiting upon his return.

• •

"Night Hawks," story of the young flyers in the Royal Air Force, has been purchased by Warners for immediate production. LEONARD HOFFMAN, who wrote the original will do the script. . . . RKO has changed the title of Harold Lloyd's "Three Girls and a Gob" to "A Girl, a Guy and a Gob." . . . IAN HUNTER, the actor has been signed by RKO to work on the script of "Show Business," which will be produced by HOWARD BENEDICT.

• •

COBINA WRIGHT, JR., New York debutante, after several attempts to obtain a film contract, has been signed by 20th Century-Fox for a role in "Murder Among Friends." . . . ALFRED BATSON, writer of "African Intrigue," has been signed by Republic to write the script for the serial, "Jungle Girl," EDGAR RICE BURROUGHS story. . . . DORE SCHARY, one of M-G-M's top writers, has been given a new term contract. . . . LARRY SIMS, six-year-old "Baby Dumpling" of Columbia's "Blondie" series, will have a "romance" in "Blondie Goes Latin." He will be teamed with 5½-year-old Janet Burston, with whom he will sing and rhumba. . . . 20th Century-Fox has signed 12-year-old refugee British actor, RODDY McDOWALL for a role in "How Green Was My Valley."

• •

Some time ago, William Hawks, head of United Producers, with an RKO release, purchased "Le Train Pour Venise" ("The Train for Venice"), story by Georges Berr and Louis Verneuil, to make as his first film. He hired Arnold Belgard and John Van Druten to write the screenplay. The story is now emerging from the typewriters as "Palm Beach, Ltd., with an American background.

• •

RKO is planning its third "Mexican Spitfire" film, starring LUPE VELEZ and LEON ERROL. . . . LOIS RANSON has been loaned by Republic to RICHARD ROWLAND for a featured role in "Cheers for Miss Bishop." . . . M-G-M has signed ROBERT STERLING, formerly at Columbia and 20th Century-Fox, to a players' contract. . . . OTIS GARRETT has been signed by TED RICHMOND, producer, to direct HENRY ARMETTA in his first Producers Releasing Corp. starring film, "You Betcha My Life." . . . MANTAN MORELAND, colored comedian, has a six-picture deal at Monogram. . . . CLIFF LEWIS, Paramount studio publicity-advertising director, and MERVIN HOUSER, staff member, have returned to Hollywood from Chicago where they worked on the premiere of "North West Mounted Police." . . . FRANK McDONALD has been assigned to direct "Arkansas Judge," Republic picture featuring the WEAVER BROTHERS and ELVIRY. The script is from "False Witness," IRVING STONE story.

• •

ABEN KANDEL is at Paramount developing an untitled story based on an original idea . . . ANNALEE WHITMORE and JAMES H. HILL, writers, have been given M-G-M contract extensions. . . . NORMAN TAUROG has set LEE COBB for a featured role in M-G-M's "Men of Boystown."

Cashier Is Held Up

WASHINGTON, Nov. 11.—The box-office of the Little Theatre here was robbed of about $35 last night while a dozen persons waiting to purchase tickets looked on uncomprehendingly. Libby Ellington, cashier, turned the money over to a young man who had threatened her with what appeared to be a gun.

Canada Faces Rise in Radio Copyright Fee

(*Continued from page* 1)

in the scale of fees to be collected from Canadian theatres in 1941 for performing rights but a battle appears to be in the making in connection with the use of copyrighted music by the broadcasters, which include not only the independent stations but the Canadian Broadcasting Corp. The latter comes under the jurisdiction of the Federal Department of Transport, hence the Dominion Government may appear to have a direct interest in prospective developments.

Affiliated With Ascap

The Canadian Society is affiliated with the American Society of Composers, Authors and Publishers but for some time, it had been believed generally that the threat of trouble in the States would not spread to Canada. There had even been the promise that Canadian stations would be able to continue the use of popular and classical compositions which might be dropped by U. S. stations because of differences with Ascap. The statement had been made that "Canadian stations are separately licensed and will continue to use any and all musical numbers except in international exchange programs. This may give Canadian stations an increased number of United States listeners unless matters are straightened out. Some U. S. programs may even seek time on border stations in Canada to cover the northern states."

BMI May Enter Dominion

The Canadian broadcasters now find themselves in the same boat with the U.S. networks and it has been implied that a Canadian branch of Broadcast Music, Inc., may be formed to provide material for the studios independent of the society's extensive repertoire. The zero hour in the Canadian situation will be reached Dec. 1 when the society is required by regulations to file its proposed rates for the coming year with the Copyright Appeal Board. This application, incidentally, will probably give an inkling of Ascap demands on the U. S. networks for 1941. The independent stations are organizing for the fray under the direction of Harry Sedgwick, head of Station CFRB, Toronto, who, at one time, was general manager of Famous Players Canadian Corp.

Seek FCC Permit for New York FM Station

WASHINGTON, Nov. 11.—The Federal Communications Commission has been asked to issue a permit to Metropolitan Television, Inc., New York, for construction of a new high frequency broadcasting station to operate on 45,500 kilocycles, covering 3,960 square miles with a population of 11,010,372.

Applications were filed by Stations WMOG, Brunswick, Ga., for increase of night power from 100 to 250 watts; KCMO, Kansas City, Mo., for increase of night power from 1,000 to 5,000 watts, and KFXM, San Bernardino, Cal., for change of frequency from 1,210 to 1,390 kilocycles, extension of hours from sharing to unlimited and increase of power from 250 to 1,000 watts.

Off the Antenna

CLASSIFIED advertisements will be a new feature on WMCA. Following a preview program Thursday at 7:45-8:15 P.M., the series will be heard daily except Sundays at the same time.

The idea is somewhat similar to spot announcements on any recorded show, but instead of selling time for a series of announcements, the ads will be sold on a wordage basis. The program is intended for use of small merchants, real estate agents, and the like and will include such copy as help wanted, lost-and-found and the usual classifications.

A daily contest with prizes of $25, human interest news, notes on fashions and recorded music will provide the program material. Thirteen of the 30 minutes will be used for the ads. Bob Carter and Joe O'Brien will act as announcers.

• • •

Purely Personal: *Dorothy Darling has been married to Samuel Kaufman, radio feature writer for the New York* Sun *and radio magazines. . . . Paul Whiteman is en route to Texas by automobile for a brief vacation. . . . Francis P. Douglas, city editor of the St. Louis* Globe-Democrat, *has resigned to join KMOX, St. Louis, as news analyst and director of news for the station. . . . Bing Crosby returns to "Kraft Music Hall" Thursday at 9 P.M. over NBC-Red. . . Lowell Thomas will be guest of Lanny Ross over CBS at 7:15 P.M. Thursday. . . . James Dunn will be interviewed by Martin Weldon over WINS at 6:30 today. . . . Alison Skipworth has joined the cast of "Portia Faces Life" heard Mondays through Fridays at 4 P.M. over CBS.*

• • •

WNYC shortly will add a fifth mural at its studios in the Municipal Building. "Radio for Public Use," by Louis Ferstadt is the name of the latest addition. The sketches are on exhibition at the Whitney Museum.

• • •

When Edgar Kobak, NBC vice-president in charge of sales for the Blue network, speaks before Ampa at the Hotel Edison Thursday, a delegation of prominent NBC executives will be on hand. Among those scheduled to be present are John Royal, vice-president in charge of new media in radio; Lunsford P. Yandell, manager of the international short wave division; Alfred H. Morton, vice-president in charge of television; Keith Higgins, Blue network sales manager; Robert Saudek, assistant to Kobak and Higgins; Sidney Strotz, vice-president in charge of programs; E. P. H. James, advertising manager; Ken Dyke, director of national sales promotion; Clay Morgan, director of institutional promotion, and Fred Thrower, Blue network salesman.

• • •

Program News: *"Grand Central Station" returns to the air tonight at 9 over NBC-Blue. The first cast includes George Coulouris, Jessie Royce Landis, Leif Ericson, Louis Van Ruten and Joan Tetzel. . . . Kate Smith will broadcast from Tucson, Arizona, Friday over CBS to cover the premiere of "Arizona." Jean Arthur will be guest that evening. After the program, Miss Smith will move on to Hollywood. . . . "Major Bowes' Family," oldest network sustaining program, begins its 19th year Sunday. It will be heard over CBS at* 11:30 *A.M.*

• • •

Promotion Notes: WEAF has prepared an eight-page rotogravure section in connection with the opening of its new transmitter at Port Washington, L. I. . . . WQXR has started its first daily newspaper advertising campaign to announce its power stepup to 5,000 watts. All New York newspapers are being used, three each day, in rotation. . . . Arthur Hull Hayes, WABC sales manager, has prepared a four-page brochure whose theme is that an audience of 20,000 can be reached by the station for $33.40. . . . Two of the biggest brochures received recently were from Mutual announcing that the Philadelphia Orchestra is now heard regularly over the network.

Radford Replaces Stovin in CBC Post

TORONTO, Nov. 11.—Following the resignation of H. N. Stovin as supervisor of station relations of the Canadian Broadcasting Corp., J. R. Radford has been promoted to the post. For the past two years Radford has been the CBC regional representative for Ontario, with office at Toronto, and previously had been program and administrative director at Windsor, Ont., and Vancouver.

Richard Claringbull, formerly program director at Winnipeg for the Prairie Region, comes to Toronto to succeed Radford as Ontario representative. Claringbull also was previously connected with the CBC at Vancouver. He is succeeded at Winnipeg by John Kannawin of the CBC production department at Toronto and Winnipeg. Stovin has retired from broadcasting to engage in a private business enterprise.

Play Set for Wilmington

"Off the Record," a new political satire, is scheduled to open at the Playhouse, Wilmington, Nov. 23, with Baltimore, Washington and Philadelphia dates to follow. John Shubert is the producer of the new comedy which was written by Parke Levy, Alan Lipscott and George A. Hendon, Jr. Heading a large cast are Bruce Cabot, Betty Furness, Hugh O'Connell, Mary Brian and Denny Moore.

Plan Six for Select

Max Alexander, producer and George Merrick, director, will leave for Hollywood shortly to produce six pictures for release by Select Attractions. The first three films planned are "The Mask of Shame," "The Right to Die" and "Decent."

Tone, Bennett Teamed

HOLLYWOOD, Nov. 11.—Franchot Tone and Joan Bennett have been set as the leads in Columbia's "A Girl's Best Friend Is Wall Street."

Theatre Changes

Takes Two Ohio Houses

LANCASTER, O., Nov. 11.—Leo Kessell, co-owner of the 1,000-seat Palace, has purchased the interest of Harry Abrams, from whom he also has acquired the 600-seat Broad. Abrams, in turn, has taken over a store formerly operated by Kessell. Tom Borchert will continue as manager of the Palace, and Herbert Kneller will remain in charge of the Broad.

Manages in Atlantic City

ATLANTIC CITY, Nov. 11.—James Connell has been named manager of the Hollywood, having been head doorman at the house since it opened. Martin Lazar was designated as manager of the Astor. He had been in temporary charge of the house for the past few months when Sy Waxman, former manager, left to take charge of the new Cinema.

Altec Closes Three Deals

Michael Kallet has renewed a service agreement with Altec Service Corp. covering all 24 Kallet houses in New York State, and Jayem Management Corp. has renewed with Altec for Jayem theatres in West New York, N. J., Cliffside, N. J., and Brooklyn. A. J. Rademacher represented Altec in both negotiations.

Opens Schenectady House

SCHENECTADY, N. Y., Nov. 11.—Frank Shea, formerly manager of Fabian's Regent and Rialto, in Cohoes, has reopened the Metro Theatre here. It was formerly operated by Morris Silverman and then by Max Borodkin of New York. Shea may rename the house.

Plan Dayton Suburban

CINCINNATI, Nov. 11.—A new 1,200-seat theatre and store building, to be known as the Davue, will be erected in a suburban location at Dayton, O., by Maurice White, Nick Shafer and other Cincinnati men, at an estimated cost of $135,000.

Plans Hudson, N. Y., House

HUDSON, N. Y., Nov. 11.—Harry Lamont has renovated a hall here and will open it Thanksgiving Day as the Strand Theatre. Lamont also operates in Athens, Berlin, Philmont and Greenville.

Reopens Theatre in Kansas

KANSAS CITY, Nov. 11.—Raymond Winch, formerly of Clay Center, Kan., has taken over and reopened the Wakefield Theatre, Wakefield, Kan. The theatre was redecorated and new equipment installed.

Organize Theatre Firm

LAKELAND, Fla., Nov. 11.—Highland Theatre, Inc., has been incorporated by H. L. Nadeau and others, with capital stock of 20 shares, par value $1,000 each.

Sells Kansas Theatre

KANSAS CITY, Nov. 11. — F. L. Lowe, who operates several theatres in western Kansas, has sold to J. H. Neely the Lowe Theatre in Sterling, Kan.

BOOKING CALENDAR *for* 1941

EVERY SHOWMAN NEEDS ONE!

Each year, thousands of managers find the Quigley Booking Calendar a prime necessity in the successful operation of their theatres.

Its record of national and state holidays is a guide to the timely booking of appropriate pictures, tieing in with important historical events, permitting special exploitation campaigns of great benefit to your box office.

These Booking Calendars are supplied to managers at cost and for that reason do not allow the carrying of large stocks. Unless your order comes in early we may not be able to fill it. Be sure to get your 1941 Calendar by ordering it today!

LIMITED SUPPLY
ORDER PROMPTLY

USE THIS COUPON

Managers' Round Table,
Rockefeller Center,

MOTION PICTURE HERALD
New York

Kindly send me one Booking Calendar for 1941. I enclose 25c to cover handling and postage.

NAME_____ THEATRE_____

ADDRESS_____ CITY_____ STATE_____



SHAKE HANDS WITH SUCCESS!

Smart advertising and good business go hand in hand because smart advertising is NEWS and big news, at that. ★ This is as true in show business as it is in merchandising. As true in your theatre as it is in your retail stores. ★ The masses may not understand advertising but they succumb to its wiles . . . the better the advertising the more they succumb. They may not know a layout from a layette . . . or a headline from a clothesline . . . but **you know** when a combination of layout and copy hits them where they live, because that's the combination which makes them **step up and buy** . . . that's the combination you want in your theatre . . . that's the combination we give you in TRAILERS . . . LOBBY DISPLAYS and STANDARD ACCESSORIES . . . ★ And that's why we say **"give yourself the breaks . . . Use All Three".**

NATIONAL Screen SERVICE • NATIONAL Screen ACCESSORIES

ADVERTISING ACCESSORIES, INC.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 95 NEW YORK, U. S. A., WEDNESDAY, NOVEMBER 13, 1940 TEN CENTS

Drama Guild Approves Film Play Backing

Amendments Open Way For Immediate Action

Opening the way for film backing of Broadway plays, approval of amendments to the basic agreement between the League of New York Theatres and the Dramatists Guild to permit film companies to purchase film rights in advance of production, was given at a Guild meeting at the Music Box yesterday. The amendments go into effect immediately for an experimental period of one year.

The new changes provide for a ceiling on the price to be paid to the author for film rights, which is based on the length of the play's run; an opportunity to the film company to cancel its purchase by abandoning its first payments; and a provision to permit a film company to use a manager from its own employ if two regular Broadway managers refuse to produce a play in which the company is interested.

Although the full text of the amendments was not released, a Guild spokesman declared that in its present form the basic agreement is satisfactory to both Broadway managers and

(*Continued on page 4*)

SAG, Extras Hit Breach

HOLLYWOOD, Nov. 12.—The Screen Actors Guild board of directors and the Class B Council, governing group for extras, today came to an open breach as the board ordered an immediate referendum of extras on the question of abolishing the Council. Ballots will be mailed Thursday.

A mounting dispute was climaxed early today when the Council appointed committees to discuss with other A. F. of L. unions and the N.L.R.B. its campaign to obtain a greater voice for extras in the S.A.G. In a letter to Council members, Edward Arnold, S.A.G. president, warned them against participating in the committees which, he said, are unofficial.

And the Red Carpet—

THE following is from an Associated Press dispatch from Berlin, published yesterday in the New York Post: "……Molotoff's special train halted several hundred feet from the spot on the platform where it had been expected to stop, and a large assembly of German dignitaries, augmented by the Japanese, Turkish and Chinese ambassadors and the Italian charge d'affaires, had to move hurriedly forward to greet the visitor.

"A similar scene occurs in Charles Chaplin's 'The Great Dictator.'"

Dipson Buys Basil Upstate Interests

BUFFALO, Nov. 12.—The sale of Basil Brothers' theatre interests in Dipson-Basil Theatres to Nikitas D. Dipson of Batavia and Buffalo was announced today by Nicholas J. Basil, president. The deal is reported to include the Bailey and Century theatres in Buffalo, the Franklin and Ridge theatres in Lackawanna, the Star in Tonawanda, and the Riviera in North Tonawanda.

This is the third time in the last few years the Century, a leading downtown house, has changed hands.

U.A., M.P.T.O., PARA. PARTNERS JOIN IN OPPOSING DECREE

Columbia, Allied and Other Exhibitor Units Also Intend to Contest Pact Approval In U. S. Court Tomorrow

United Artists, the M.P.T.O.A. and certain Paramount theatre associates will oppose approval of the consent decree at the hearing before Federal Judge Henry W. Goddard in U. S. District court here tomorrow, in addition to other organizations whose decisions to oppose the decree were made earlier. The M.P.T.O.A. decision was made in a poll of directors completed yesterday by Ed Kuykendall, president of the national organization.



Ed Kuykendall

Among the exhibitor organizations which also will appear in opposition are: M. P. T. O. of North and South Carolina, M. P. T. O. of Connecticut, M. P. T. O. of Western New York, and the U. M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware, all affiliates of the M. P. T. O. A. Others whose decisions

(*Continued on page 4*)

Agent Gets Verdict From Sonja Henie

Dennis R. Scanlan yesterday won a jury award of $77,113 with interest as agent's commissions against Sonja Henie in N. Y. Supreme Court yesterday after trial before Justice Aron Steuer. Scanlan will be entitled to a percentage of the future film earnings of the defendant, including a share of $135,000 which she will receive for her next picture for 20th Century-Fox. Miss Henie will appeal.

'Noble Experiment,' Says Disney of His 'Fantasia'

By SHERWIN A. KANE

Walt Disney told the trade press yesterday that he looks upon his "Fantasia" as a "noble experiment" which can mean either very much or very little to the film industry. The film will have its premiere tonight at the Broadway Theatre and tomorrow will start on its two-a-day engagement. Last night a press preview was held.



Walt Disney

"I'll be happy if I get my money back on it," the producer said.

The production cost was $2,200,000, as compared with $1,600,000 for "Snow White and the Seven Dwarfs," and cannot be presented on any ordinary theatre sound reproducing equipment. The picture is recorded on RCA equipment. Because of necessity of special and costly equipment for exhibition of the film, Disney finds himself compelled personally to lease theatres for its exhibition, and to purchase the special sound reproducing equipment which is required.

MOTION PICTURE DAILY's review of "Fantasia" will be published tomorrow.

At the Broadway, where the first unit has been installed, the cost was $100,000. Subsequent units, of which there will be 11, will cost $30,000 each. Disney is bearing the entire equipment cost. Even though the equipment should become widely used in the in-

(*Continued on page 4*)

Cole 'Disappointed' With Government

DALLAS, Nov. 12.—Col. H. A. Cole, president of national Allied and Allied of Texas, today expressed considerable disappointment with the Government's course in the consent decree. He is presiding at a two-day convention of the state organization, which opened today.

Cole said the decree has "many good and bad points" but is short of service to the independents because of important omissions. However, he

(*Continued on page 4*)

Reviewed Today

A review of "Little Nellie Kelly" will be found on page 4.

Hollywood Speeds Work on Defense

HOLLYWOOD, Nov. 12.—Preparations for national defense participation here moved forward yesterday, when Col. A. D. Bruce of the Army general staff, and Major Robert Schlosberg of the Photographic Corps arrived here with Gordon Mitchell, secretary of the Research Council of the Academy of Motion Picture Arts and Sciences.

The army men conferred with Darryl F. Zanuck, chairman of the council, on the next steps in the production of educational films for service men, and returned to Washington later in the day.

Interviews were conducted by Major Schlosberg and Major Nathan Levinson, with a view to commissioning junior writers for service at Fort Monmouth, N. J., where they will prepare the scripts of the subjects for the men in training.

A full meeting of the Producers Committee for National Defense, under Y. Frank Freeman, chairman, is scheduled to be held later this week.

New Production Is Started in England

LONDON, Nov. 12.—British National Films, Ltd., yesterday launched production on "Love on the Dole" at the Rock Studios, Elstree. John Baxter is directing and Deborah Kerr is starred. The picture is said to be designed particularly for the United States market.

The next film at the studio will be Leslie Howard's "Pimpernel Smith." George Parish, chairman of British National, stated that the company is spending about $600,000 on the next four films, and, contingent upon the availability of studio space, will make eight next year.

Jackson Due Here For British Charity

LONDON, Nov. 12.—Louis Jackson, head of Anglo-American Film Corp., will leave Nov. 22, planning to travel by Clipper plane to New York.

He stated that he is not going to the United States on film business, but has been appointed to organize a charity fund for British soldiers, sailors and airmen, which aims at a total collection of $25,000,000.

Miss Dragonette, Dieterle at Ampa

William Dieterle, director, and Jessica Dragonette have been added to the Ampa luncheon program tomorrow at the Hotel Edison. Miss Dragonette will sing. The guest speaker, as announced, will be Edgar Kobak, NBC vice-president, whose topic will be "You're in Show Business, Too!"

CEA Council Meets At Blackpool Today

LONDON, Nov. 12.—The General Council of the Cinematograph Exhibitors Association will meet tomorrow at Blackpool, near London.

Personal Mention

AMBASSADOR JOSEPH P. KENNEDY left for the Coast by TWA last night to visit his son, JACK, who is a student at Leland Stanford University, Palo Alto.

•

GEORGE F. FRENCH, manager of the RKO Albee, Providence, attended the "Fantasia" preview last night with GARRETT D. BYRNES, film editor of the Providence *Journal*.

•

JAMES P. CLARK, president of Horlacher Delivery Service, has been appointed chairman of the theatres division for the United Charities Campaign in Philadelphia.

•

FLORENCE KIPP, RKO division booker in Cincinnati, has returned from a vacation at Miami Beach.

•

BETTIE-COLE MCCUNE was married recently to MORTON TRUOG of National Screen Service, son of WILLIAM TRUOG, United Artists Kansas City manager.

•

SONJA HENIE, her mother, and ARTHUR WIRTZ, her partner, left for Hollywood last night on the TWA Stratoliner.

C. C. PETTIJOHN, general counsel of the M.P.P.D.A., is in Washington today.

•

MONROE GREENTHAL, EDWARD PESKAY and JOHN WRIGHT lunching yesterday at Lindy's (next to the Rivoli).

•

JOSEPH MOSKOWITZ, J. J. MILSTEIN, MARTIN MOSKOWITZ, WILLIAM BRANDT and HAL YOUNG at Lindy's (51st St.) yesterday for lunch.

•

WILLIAM A. SCULLY, GEORGE SCHWARTZ, AL MARGOLIES, BETTY GOLDSMITH and MORT WORMSER at the Tavern for lunch yesterday.

•

FRED THOMPSON, ROBERT BENJAMIN, GUY BOLTON, KENNETH MACKENNA, AL RICHARD, MAX GORDON, OWEN DAVIS, RUSSEL CROUSE, BOSLEY CROWTHER, CLAIRE BOOTH and MARCUS HEIMAN having lunch yesterday at Sardi's.

•

WILLIAM WHITE, WILLIAM F. RODGERS, LOU DREYFUS, HARRY BRANDT, TOM CONNORS and JOHN W. HICKS at Nick's Hunting Room in the Astor yesterday for lunch.

Protest Providence Police Censorship

PROVIDENCE, Nov. 12.—Absolute police power in censorship situations here was decried by Roger Baldwin, director of the National Civil Liberties Union, at the first Fall meeting of the Rhode Island branch. Providence, with Detroit and Chicago, are the only U.S. cities in which police jurisdiction over films, stage plays and publications is exercised without recourse to judicial review and trial by jury, Baldwin declared.

The meeting appointed a committee headed by Prof. Edwin M. J. Kretzman of Brown University to investigate the possibilities of appeal from police censorship.

Karloff in Play

Boris Karloff has been signed as one of the leads in the stage play, "Arsenic and Old Lace," by Joseph Kesselring, which will open on Broadway after the first of the year. Howard Lindsay and Russel Crouse are the producers.

News Men Address Club

Second of a series of talks sponsored by the Paramount Pep Club educational committee was held last night with Austin C. Keough presiding. Speakers were William C. Park and Lewis Buddy of Paramount News.

L. A. Branch Wins Republic Contest

Republic's Los Angeles exchange, of which F. A. Bateman is manager, finished first in the "Dark Command" $5,000 gross contest which ran seven months, James R. Grainger, president, disclosed yesterday at the company's Eastern regional sales meeting here. The branch will receive $1,500.

Other winners are: Philadelphia, Max Gellis, manager, $1,250; New York, Morris Epstein, manager, $1,000; New Haven, Sam Seletsky, $750, and Washington, Sam and Jacob Flax, $500.

Hollywood Players To Tucson Opening

HOLLYWOOD, Nov. 12.—More than a score of Hollywood personalities will leave here tomorrow for Tucson for a three-day celebration in connection with the world premiere of Columbia's "Arizona" at five theatres on Friday.

In the contingent will be Charles Ruggles, who will be master of ceremonies; Jean Arthur, William Holden, Porter Hall, Warren William, Regis Toomey, Paul Harvey, Rita Hayworth, Glenn Ford, Paul Lukas, Jack Holt, John Mack Brown, Fay Wray, Guy Kibbee.

Close Swiss Houses on Mondays

ALL theatres in Switzerland will be closed on Mondays for the balance of the Winter under an emergency ruling designed to conserve fuel supplies, home office foreign departments were advised by their Geneva offices yesterday. The usual schedule of three shows daily will be followed by the Swiss theatres on other days.

All Swiss offices, including film exchanges, will be closed on Saturdays under the same order, but will remain open slightly longer on other days.

Newsreel Parade

THE domestic front takes the spotlight in the midweek issues, with a recording of President Roosevelt's Armistice Day plea and Wendell Willkie's "loyal opposition" speech. The collapse of the Tacoma, Wash., bridge is another headliner. The contents:

MOVIETONE NEWS, No. 19—Roosevelt and Willkie plead for unity. Tacoma bridge collapses. Vesuvius is again active. Air raid damage in England. Neville Chamberlain dies. Churchill tours defenses in Scotland. Air pilots trained at Kelly Field, Tex. Football.

NEWS OF THE DAY, No. 217—Tacoma bridge falls. Roosevelt in Armistice Day ceremonies. Willkie urges loyal opposition. London after air raids. Football.

PARAMOUNT NEWS, No. 22—Washington hails Roosevelt. Chamberlain dies. Japanese Emperor inspects mechanized units. Willkie in post-election speech. Football. Suspension bridge in Tacoma collapses.

RKO PATHE NEWS, No. 22—Bridge in Tacoma snaps. Roosevelt returns to Washington. Willkie urges loyal opposition. Chamberlain dies. Football.

UNIVERSAL NEWSREEL, No. 927—Tacoma bridge crashes. Roosevelt returns to Washington. Aviatrix Cochran wins award. Mount Vesuvius in eruption. Football.

Greater Union Net in 9 Months $200,000

Net profit in excess of $200,000 is reported by Greater Union Theatres, Australia, for the first nine months of 1940, according to cabled reports to New York, Capt. Harold Auten, American representative of the company, disclosed yesterday.

The figures are regarded as significant here in view of the fact that the bulk of the earnings are from the company's theatres, which have access only to Columbia, Universal, Monogram and Republic product. Theatre's share of the nine months' earnings are estimated at $150,000; approximately $42,500 is from British Empire Films, a distribution subsidiary, and the balance is from Cinesound Productions and National Theatre Supplies, affiliated companies.

For the past two years the circuit has been headed by Norman B. Rydge, and most of the improvement in earnings has been made under his management. In addition, large expenditures have been made on theatre construction and renovation during his tenure.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

No other film company has a Christmas Week attraction to compare with

ALEXANDER KORDA'S

THE THIEF of BAGDAD

IN MAGIC TECHNICOLOR

Released thru United Artists

Alignment Is Set Against U.S. Decree

(*Continued from page* 1)

to oppose the decree were made earlier include Allied of New York, an M. P. T. O. A. affiliate; Allied States Association; New York I. T. O. A. and Pacific Coast Conference of Independent Theatre Owners.

Columbia will also oppose the decree and will object to the Government's petition for leave to file an amended complaint against the three non-consenting companies. United Artists and Universal are also considering making objections to the Government's petition. Universal will not appear in opposition to the decree, however.

Lineup of Counsel

Edward C. Raftery, of O'Brien, Driscoll & Raftery, United Artists counsel, will appear for the company. The M. P. T. O. A. has retained Henry G. Gray of the New York law firm of Gray, Sage, Todd & Sims, to represent it at the hearing. George P. Aarons, assistant counsel of national M. P. T. O. A., will represent the Eastern Pennsylvania organization and will collaborate with Gray. Herman Levy, counsel for the Connecticut M. P. T. O., will appear for that unit. R. B. Wilby and Fred Kent will arrive from the South today to oppose the decree on behalf of the Paramount theatre associates and M. P. T. O. of North and South Carolina, of which Wilby is a member.

Sidney B. Pfeiffer of Buffalo will represent M. P. T. O. of Western New York. Paul J. Ziegler of Los Angeles will appear for the Pacific Coast Conference of Independent Theater Owners; Jacob Schechter for Allied of New York; Abram F. Myers for Allied States; Milton Weisman for New York I. T. O. A.

Louis D. Frohlich and Herman Finkelstein of Schwartz & Frohlich, Columbia counsel, will appear for that company.

Other Units May Join

The M. P. T. O. A. had contemplated the advisability of not opposing the decree in court so that it would not be on record as having had a Federal court hearing of its objections in the event that Congressional action was launched against the decree in the future.

Kuykendall said that other M. P. T. O. A. regional units, in addition to those named, may also send representatives to the hearing to object to the decree.

"The M. P. T. O. A. is vigorously opposed to parts of the consent decree in its present form," he said. "We feel that it will work a tremendous hardship on exhibitors, particularly the small, independent exhibitor. We will fight to the limit to prevent it from becoming a law."

Mrs. Melcher Dies

KANSAS CITY, Nov. 12.—Mrs. Carrie Melcher, 48, wife of Reuben Melcher, long identified with the film and theatre business here, died Sunday at Menorah Hospital.

Feature Review

"Little Nellie Kelly"

(M-G-M)

HERE is pleasant, tuneful and wholly good-humored entertainment, in a cinematic version of the well-remembered musical comedy of 1922-'23, by the inimitable George M. Cohan.

The intrinsic entertainment of the piece, which herein is somewhat less musical than probably was true on the stage, is made still more attractive by a trio of splendid performances, offered by Judy Garland, Charles Winninger and George Murphy.

Norman Taurog, director, gave the film pep and pace and the screenplay by Jack McGowan has emphasized the comedy elements, so ably supplied by Winniger, and has treated not too heavily the moments of drama which dot the continuity. "Nellie Kelly, I Love You" and "Singin' in the Rain" are the two catchy tunes which should set audiences to humming as they leave the theatre. Arthur Freed, who produced the film, wrote the latter with Nacio Herb Brown, while Cohan did the former.

The yarn is of Nellie and her shiftless but lovable father, who protests when she falls in love with Murphy. They all come to America from Ireland, and Murphy becomes a policeman the day his wife dies giving birth to Little Nellie Kelly. Judy Garland plays the dual role, although she is not too happily cast in the former role, she more than makes up for that in the latter. Douglas McPhail, with whom she falls in love as Little Nellie, contributes much with his splendid voice. The film concerns the attempt of both Nellies to bring about a reconciliation between her father and grandfather.

Running time, 100 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

'Noble Experiment,' Says Disney of His 'Fantasia'

(*Continued from page* 1)

dustry there is no provision for Disney to participate in earnings from it.

The sound units will be installed as rapidly as completed in a maximum of 12 theatres in as many cities. As the runs at these theatres are completed, the equipment will be transferred to other theatres in other cities. The second opening of the picture will be in Los Angeles about Dec. 27. Subsequent "first" openings will be in Boston, Chicago, Philadelphia, Washington, Atlanta, Minneapolis, San Francisco, Seattle, Salt Lake City and Miami. It is anticipated that it will play in 76 cities during the next two and one-half years.

Disney believes the picture will test his contention that the "industry is in too big a hurry to get its money back on its pictures." He thinks many pictures suffer lost patronage because they are off the screens before they have realized their full drawing possibilities. The long runs planned for "Fantasia" will test this theory, Disney believes.

There is no dialogue in "Fantasia" and the same prints used here can be used all over the world.

Disney will leave for the Coast at the end of the week. He has four feature length cartoons in work, all of which will be distributed through RKO in the usual way. They are: "The Reluctant Dragon," to be released in January; "Bambi," in May; "Dumbo," in July, and "Peter Pan" next October.

Associates Discuss Annual Dinner Party

Motion Picture Associates yesterday at the Astor discussed the 21st annual dinner dance Nov. 20, Jack Ellis, president, noting that revenue from the dinner journal will be exclusively for charity. Ellis named various personalities who will attend the function. Leon Bamberger of RKO and Edward A. Golden of Monogram addressed the meeting.

Hart Draft Board Aide

Vincent G. Hart, formerly with the Hays office, has been appointed to the legal staff of Col. Arthur V. McDermott, New York director of selective service. He will serve on Local Boards 23 and 24 in Manhattan. During the World War he was a lieutenant.

License Is Suspended

COLUMBUS, Nov. 12.—William S. Evatt, head of the Ohio Tax Commission, has suspended for 30 days the license of F. C. Buben, operating the National, at Akron, for failure to pay $426.63, overdue the state on admission taxes and assessments.

Has Old Chaplin Short

The King of Comedy Co. is releasing an old Charlie Chaplin comedy, running 14 minutes, titled "In the Bank." New synchronized timing is used in the reissue, which is currently playing the Globe.

Chevalier Film Booked

A new French film, "The Man of the Hour," starring Maurice Chevalier, will open at the 55th Street Playhouse on Nov. 21. Directed by Julien Duvivier, the film is released in this country by Trio Films, Inc.

Drama Guild Approves Film Play Backing

(*Continued from page* 1)

the film companies. Amendments were passed last year but neither the managers nor the film companies would accept it.

The Guild has served formal notice that the existing contract will terminate March 1 and that a new one for the next five years must be negotiated. No change will be sought in the new agreement in the provision which gives a manager the right to share in film purchases for a period of 10 years. However, radio, stock and amateur rights will remain with the manager for a period of five years after the closing of the play instead of the present complicated arrangement.

The Guild will also insist that all plays produced be written by Guild members. At present, a manager may put on one British play and an unlimited number of foreign language plays during each year, although in the case of foreign language plays, the adapter must be a Guild member.

The Guild approved the National Experimental Theatre for a period of one year. A board, chosen equally from the Guild and Actors Equity, will decide what plays may be produced. Actors will work without salary, and the dramatist will surrender control of the play for six months. Theatres must be donated free, performances are limited to three, and no admissions may be charged. If a manager purchases the play, he must pay two per cent of the gross during the run of the play.

Rachel Crothers, Philip Dunning, Paul Green, Melvin Levy, Elizabeth McFadden, Eugene O'Neill and Arthur Richman were reelected to the Guild council. Dorothy Fields, Claire Boothe and Irwin Shaw were added as new members.

Cole 'Disappointed' With Government

(*Continued from page* 1)

said the independents will continue to strive for relief and that their battle will eventually succeed because of "increasing pressure."

"The opposition," he said, "is on the defensive on many fronts and on the offensive on none, which is significant that success may not come in spectacular victory but in a continuing series of small gains."

Among the speakers today were H. M. Richey, assistant to William F. Rodgers, M-G-M general sales manager; E. C. Mills, Ascap executive, and Stanley Neal of National Screen Service. Sidney Samuelson of Philadelphia, chairman of the Allied Information Department, discussed product buying statistics, indicating terms given independents are not uniform.

'Ireland' to Squire

"Here Is Ireland," color film of Ireland, released by Irish American Film Corp., which played the Belmont recently, will start an indefinite run at the Squire on Saturday.

Extra! THE NEW ESCAPE CLAUSE!

•

In the event that a picture should immediately establish itself as a sensational box-office attraction—

For instance, if it should be playing a 3rd week at Radio City Music Hall, N. Y. and continue to do outstanding business—

Likewise, if in all early bookings such as cities like Philadelphia, San Francisco, Detroit, Denver, Akron, Cleveland, Harrisburg, Reading, Memphis, etc., it should be an extraordinary commercial success—

In such an instance, it is agreed that the showmen of America should clear their booking schedules to permit long and successful extended engagements of such a picture.

Such a picture is M-G-M's "ESCAPE" starring NORMA SHEARER, ROBERT TAYLOR with Conrad Veidt, Nazimova, Felix Bressart, Albert Bassermann, Philip Dorn, Bonita Granville. A Mervyn LeRoy Production. Screen Play by Arch Oboler and Marguerite Roberts. Based on the novel "Escape" by Ethel Vance. Produced by Lawrence Weingarten. Directed by Mervyn LeRoy.

THURSDAY'S THE DAY AT THE ROXY, N. Y.!

World Premiere of the big mirth, melody and mystery show! . . Kay and his band in person for the special and spectacular engagement limited positively to ONE WEEK ONLY!



KAY KYSER

IN

YOU'LL FIND OUT

WITH THOSE THREE BAD BAD-HUMOR MEN

PETER LORRE ★ BORIS KARLOFF ★ BELA LUGOSI


PARRISH
and KAY KYSER'S BAND, featuring
GINNY SIMMS
HARRY BABBITT · ISH KABIBBLE
SULLY MASON AND
"THE COLLEGE OF MUSICAL KNOWLEDGE"
Produced and directed by
DAVID BUTLER
Screen play by James V. Kern
THANKSGIVING WEEK
ATTRACTION ALL
OVER THE NATION!
RKO
RADIO
PICTURES

Air Defense Board to Name 11 Committees

WASHINGTON, Nov. 12.—Eleven industry committees, two of them concerned with broadcasting, will be set up by the Defense Communications Board to plan communications control in the event of a national emergency, FCC Chairman James L. Fly announced today.

Four Main Committees

The board itself will have four committees, including coordinating, law, labor and industry advisory groups, to work out broad principles. The 11 industry committees will operate under the Coordinating Committee.

Nominations for the various committees will be obtained from the interested companies and groups, and the personnel of most of them will be completed within two weeks, Fly said. The coordinating committee, the most important, will be headed by E. K. Jett, FCC chief engineer, other members being Francis C. DeWolf, of the international communications division of the State Department; Major W. T. Guest of the War Department; Commander J. F. Farley of the Coast Guard; and Commander Earl E. Stone of the Navy Department.

Scope of Work

The two broadcasting committees to be set up will deal, respectively, with problems of domestic and international broadcasting. The duties of the domestic committee will include the study of the physical aspects of standard broadcasting and the formulation of recommendations of "such precautions, supplementary facilities and reallocations as it shall deem desirable under foreseeable military conditions," it was explained. It will also consider other domestic broadcasting systems, including relay, frequency modulation, television, facsimile and experimental broadcasting with a view to making recommendations for their speedy and efficacious use. A similar responsibility will be placed upon the international committee.

Another committee will be an interdepartmental radio advisory committee, on which members of the present committee of the same name now serve.

Named Salesman

DENVER, Nov. 12.—George Thawson, formerly assistant booker at the 20th Century-Fox exchange here, has been promoted to salesman, succeeding William Caldwell, resigned. Howard Metzger succeeds Thawson.

WHOM Scoops on Elizabeth Sailing

WHOM scored a scoop yesterday with an eye witness account of the *Queen Elizabeth* sailing. The WHOM transmitter is at the foot of Washington Street, Jersey City, directly opposite the pier, and Rocco Albanese, an engineer, went on the air for the first time in his life with the description.

CBS Devises Color Television in Studio

Rochester, Nov. 12. — Color television by direct pickup in the studio has been achieved at CBS laboratories, Peter C. Goldmark, CBS chief television engineer, today told the joint Fall meeting of the Institute of Radio Engineers and the Radio Manufacturers Association. Up to now, such experiments have been limited to films. Goldmark declared that, although better lighting is needed for color than for black and white, he is convinced that lighting will not be a problem. Equipment is now being built for a demonstration to the FCC and the press, Goldmark added.

Extend Filing Date On Briefs to F.C.C.

WASHINGTON, Nov. 12.—Final date for filing of briefs on the FCC monopoly report has been extended to Friday. Argument will take place on Dec. 2 and 3, as originally scheduled. FCC Chairman James L. Fly explained that several parties had been unable to prepare their briefs by Nov. 11, when they were due, and requested an extension.

411 Stations Now Aligned with BMI

Four additional stations have joined Broadcast Music, Inc., bringing the total to 411, Carl Haverlin, director of station relations, disclosed yesterday. The new stations are WHB, Kansas City; WEW, St. Louis; KFDY, Brookings, S. D.; and WFDR, Hattiesburg, Miss.

Supreme Court Gets Whiteman Record Action

WASHINGTON, Nov. 12. — Paul Whiteman, band leader, has asked the U. S. Supreme Court for a final judgment regarding the rights of recording artists against the unauthorized broadcasting of the recorded music which they make for non-commercial use.

Asks Review of Decision

The band leader has asked for a review of the decision of the Second Circuit Court of Appeals in a suit brought against the WBO Broadcasting Corp., and Elin Inc., to restrain Station WNEW, New York, from broadcasting phonograph records made and sold for non-commercial use. RCA also was a party to the suit. Station WBO had broadcast nine Whiteman records in a program sponsored by Elin Co.

Ruled Unfair Competition

In the New York district Court, Judge Vincent Leibell had held that station announcements of the records were designed to persuade the audience that they were listening to live talent and that the broadcasting of records constituted unfair competition with Whiteman. This decision was reversed by the Circuit Court, holding that the sale of records constituted publication notwithstanding restrictive notices and that the broadcasting did not constitute unfair competition.

Photophone Offers New Record Player

A new record player unit designed for use in film theatres in conjunction with film sound reproducing equipment has been announced by the Photophone Division of the RCA Manufacturing Co. It is claimed to be useful for providing music between shows, or in making special announcements with the aid of recordings. The unit weighs 25 pounds.

Pius XII Honors Brooks

Pope Pius XII has bestowed papal blessings and special papal favors on Tom Brooks, radio editor of the *Journal American*, for efforts in "the interest of propagation of the faith" in connection with his religious broadcasts over WNEW Mondays through Fridays at 1:50 P. M.

Warners Develops New Sound System

Hollywood, Nov. 12. — Announced as the fruition of five years of research, Warners plan to install "Vitasound" in the New York Strand and the Warners, Hollywood and Downtown here and later in all Warner houses. Developed by Major Nathan Levinson, the new system uses a second track. It requires booth equipment costing about $1,500.

Theatre Changes

Plans Pittsburgh Drive-In

PITTSBURGH, Nov. 12. — Norbert Stern will begin building a second drive-in theatre Jan. 1, east of here. It will cost $20,000, and accommodate 600 cars. Stern opened Pittsburgh's first drive-in theatre in August, near South Park. It accommodated 300 cars, was closed Oct 15 and will reopen May 1. George Davis is manager.

Renovating in Bridgeport

BRIDGEPORT, Conn., Nov. 12.—The Rialto Theatre, now closed for complete renovation, is being furnished with new doors, concrete floors, equipment, chairs and decoration.

Takes Kansas Theatre

KANSAS CITY, Nov. 12. — J. H. Neely of Wichita, Kan., has taken over the Lowe from F. L. Lowe at Sterling, Kan. Lowe still operates houses in Lyons, Hoisington and Hays, Kan.

Named Fox Assistant

KANSAS CITY, Nov. 12.—Paul Gross, who has been with Fox Midwest Theatres in Sedalia, Mo., has been promoted to assistant manager of the Fox houses at Fort Madison, Ia., under Chub Golladay.

Reopens Theatre in Utica

UTICA, N. Y., Nov. 12.—C. R. Hall of Boonville has reopened the Carole Theatre here. A subsequent run house, it was formerly owned by L. J. Carkey and will be renamed the Sunset Theatre.

Raze Old Ohio Theatre

POMEROY, O., Nov. 12.—The Pomeroy Opera House, built in 1889, and condemned as unsafe in 1935, is being razed under orders of Ray R. Gill, State Fire Marshal.

Remodel 2 Hamilton Houses

HAMILTON, O., Nov. 12.—New marquees and cooling systems will be installed and other extensive improvements made at the Northio Rialto and Palace here, at an estimated cost of $50,000, according to Tracy Barham, general manager.

Reopen Shea House in Ohio

ZANESVILLE, O., Nov. 12. — The Quimby, unit of the local Shea circuit, which was taken over from Zanesville Theatres, Inc., some months ago, has reopened after having been completely redecorated and re-equipped. The house will operate Friday, Saturday and Sunday of each week.

Buys Theatre in Iowa

NASHUA Ia., Nov. 12.—G. H. Ballard of Ackley, Ia., has bought the Nashua Theatre here from C. A. Menold. Ballard's brother, L. G. Ballard, operates the Reo at Wall Lake, Ia.

Miami Managers Shifted

MIAMI, Nov. 12. — Austin Moon, former manager of the Colony, is now manager of the Sheridan. William Pratt of Atlanta is the new manager of the Colony.

Installing New Lobby

CINCINNATI, Nov. 12. — Harold Bernstein, who operates the suburban Plaza, is installing a new lobby and making other extensive improvements.

Brandt Takes the Art

The Art Theatre at University Place, Manhattan, recently built by Herman Weingarten, has been taken over by the Brandt Circuit.

Circuit Takes Over 2 Missouri Houses

KANSAS CITY, Nov. 12.—The Frisina Mexico Co., subsidiary of the Frisina Amusement Co. of Springfield, Ill., has been formed to take over the Liberty and Rex Theatres at Mexico, Mo., from the Liberty Theatre Co. Cassius M. Clay, president of the latter, is retiring as manager of the two houses, and is being succeeded by Jerald F. Baker, formerly manager of the Waldo and the Granada Theatres for Fox Midwest in Greater Kansas City.

Frisina, which now operates 57 houses in Illinois, Missouri and Iowa, will spend $25,000 remodeling the two houses, and installing new seats, carpets, screens, and other equipment and furnishings.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 96 NEW YORK, U. S. A., THURSDAY, NOVEMBER 14, 1940 TEN CENTS

Pact Opponents Represent 98% of Nation's Theatres

Lack of Studio Space Brings English Crisis

War Time Use of Plants May Cut Quota Films

LONDON, Nov. 13.—An industry crisis is foreseen with the decreasing availability of studio space in England, as a result of the taking over of the facilities by the Government.

American companies here may be unable to fulfill all their quota obligations unless some action is taken speedily. Such a situation likewise would prevent the intended production of films in this country designed for the world market.

The usable stages at the moment are limited, and producers have appealed to the British Board of Trade to take immediate action. However, the board has advised certain British producers to curtail their production programs.

The Board of Trade also tentatively has proposed the idea of concentrating all production in one studio, but this has been opposed vehemently by producers and all studios without exception. Although the board is sympathetic toward the industry's problem, the necessity for the studio space for vital war work probably will influence its consideration.

Notwithstanding the difficulties since the war, the studios have endeavored to keep going, but the situation now seems critical.

Kodak Employes to Share $2,625,000

ROCHESTER, Nov. 13.—A 1941 wage dividend approximating $2,625,000 today was voted by the directors of Eastman Kodak to all employes, payable March 24. The sum represents an increase of $262,669 over 1940.

A quarterly dividend of $1.50 per share on the common stock also was declared today, with a regular 1½ per cent dividend on the preferred stock, which amounts to about $1.50 per share. Both will be paid Jan. 2 to stockholders of record Dec. 5.

The number who will participate in the 1941 dividend has not been determined, but last March the payment was divided by 30,934 employees. Today's was the 29th wage dividend since the plan was inaugurated in 1912, and will bring the total wage dividend to about $48,275,000.

Wobber Sees U.S. Defense Spending As Box-Office Aid

HOLLYWOOD, Nov. 13.—Theatre business around the country has shown great improvement since the election and further gains may be expected when the flow of defense expenditures starts, Herman Wobber, 20th Century-Fox general sales manager, said here today on his arrival for studio conferences.

Wobber was accompanied by Charles E. McCarthy, director of advertising and publicity, and M. A. Levy, Minneapolis district manager and Kent Drive leader.

Wobber based his belief of a coming business increase on his observations of conditions in Canada. "Before the war," he said, "theatre business was off. Then when the Government began spending money, the box-offices benefited. Theatres in the United States will have the same impetus. Pictures being released now are doing much greater business than they would had they been released a month ago."

Regarding the consent decree, Wobber said that the companies have until August 1 to prepare to abide by its conditions and therefore his company is making no particular plans now to meet changes which will be required, as "there is plenty of time."

Three More Units Send Representatives To Federal Court Hearing on Decree Here Today; Plans Worked Out

Approximately 98 percent of the nation's theatres will be represented by spokesmen who will appear in the U. S. District Court here today in opposition to the New York case consent decree, according to experts' calculations.

Three more exhibitor units sent representatives to New York yesterday to oppose the entering of the decree at the hearing before Federal Judge Henry W. Goddard. They are the M.P.T.O. of Virginia, represented by Robert T. Barton, attorney; the Texas T. O. Protective Association, represented by Judge Roy L. Walker, and the Robb & Rowley and Jefferson Amusement Co. Circuits of West Texas, represented by Michael Rice, Dallas attorney.

The exhibitor opposition to the decree now consists of the two national exhibitor organizations, M.P.T.O.A. and Allied States; 10 or more regional exhibitor organizations and a number of Paramount theatre operating affiliates. In addition, two non-consenting distribution companies, Columbia and United Artists, are prepared to appear in opposition.

Because of the large number of regional affiliates of the M.P.T.O.A. which have sent representatives here to oppose the decree, all spokesmen for that organization met at the Hotel Astor last night and perfected plans for an orderly presentation of their case at today's hearing. The procedure agreed upon calls for the

(*Continued on page 5*)

Reviewed Today

Reviews of "Fantasia" and "You'll Find Out" will be found on Page 5. A review of "The Letter" appears on Page 6.

S.P.G. Now Claims 'Big 8' Majorities

Screen Publicists Guild officials yesterday said that they have lined up a majority of publicity and advertising employes in all major company home offices by adding Universal to the seven other companies where the Guild had claimed to have majority representation.

A formal request for recognition as collective bargaining agency was sent yesterday to Universal.

The S.P.G. has filed its demand for recognition from the other seven companies with Charles Kramer, N.L.R.B. field examiner, who has the matter under consideration. The demand made on Universal yesterday is a preliminary to filing similar action.

UNIVERSAL'S STATUS DELAYING BRITISH CURRENCY AGREEMENT

Uncertainty as to whether or not Universal is included in the $12,000,000 remittance proposal advanced by Britain for the next 12 months is further delaying conclusion of a new monetary agreement between the major companies and London, it was learned yesterday.

Universal had a separate remittance agreement during the 12 months period ended Nov. 1. In making its new proposal, however, London is reported to have contemplated inclusion of Universal, whereas the major film companies, including Universal itself, were under the impression that the $12,000,000 applied only to seven companies and that Universal again would make a separate agreement.

In addition, corollary proposals covering the investment of blocked sterling by American companies and the use of blocked sterling for purchase of British films also are still undetermined. An agreement is expected soon, however.

Para. Coast Meeting Continues Next Week

HOLLYWOOD, Nov. 13.—Conferences of Paramount home office executives and theatre partners with studio executives which began here Monday will continue into next week. Product and sales policies for 1941-'42 as affected by the consent decree are being discussed, among other matters.

Y. Frank Freeman, studio head, will be host at a dinner to the visiting executives Friday night. A few of the conferees plan to leave Saturday, with most of them staying over.

Chicago Exhibitors Plan Chance Games

Chicago, Nov. 13.—Jack Kirsch, president of Allied of Illinois, announced today that more than 50 independent theatres associated with his organization will start operating chance games this weekend. Prizes will range from $25 to $50, it was announced. Chance games have been banned here since 1936, it was stated.

Louis F. Blumenthal, Once Exhibitor, Dies

Funeral services will be held tomorrow for Louis F. Blumenthal, 51, president of the Haring & Blumenthal real estate company, who died at his home in Tuckahoe, N. Y., Tuesday night after a long illness. Burial will be at Union Field, Cypress Hills.

Blumenthal, a former theatre owner and operator in Brooklyn and New Jersey, was the founder of *Exhibitors' Trade Review* in 1916 with the late Lee Ochs.

Surviving are the widow, Elizabeth; a brother, Leon, and a sister, Mrs. Henry Sommerfield.

Jones New B.&K. Booker

CHICAGO, Nov. 13. — A. Warren Jones, formerly with the RKO and B. F. Keith circuits, was appointed booker for Balaban & Katz today by Nate Platt, production head of the circuit. Jones succeeds the late Max Turner.

Personal Mention

MAURICE SILVERSTONE, chief of United Artists worldwide operations, arrived on the Coast yesterday.

•

ROY HAINES, Warners Eastern and Canadian sales manager, leaves today for Cleveland and Cincinnati. He will return Monday.

•

WILLIAM MANSELL, manager of the Warner Philadelphia branch, conferred yesterday at the home office.

•

NAT LEVY, Eastern district manager for RKO, and CHARLES ZAGRANS, Philadelphia branch manager, visited the home office yesterday.

•

SAMUEL I. MACHNOVICH, Universal treasurer, is recuperating at his home from a recent operation.

•

ALDYTH REICHENBACH, secretary to Barney Balaban, was painfully injured in a taxicab accident a few days ago. She is recuperating at her home.

•

TERRY TURNER, head of the RKO field publicity staff, has returned here after accompanying CHARLES LAUGHTON on a personal appearance tour and a studio visit.

•

A. G. STOLTE, Des Moines district manager for Tri-States Theatres, was injured when struck by a car while crossing the street.

LOU PHILLIPS, Paramount home office attorney, has returned from Madison, Wis.

•

WILBUR K. ENGLAND, RKO executive, has purchased a 120-acre tract at Hollis, L. I.

•

JOSEPH VOGEL, EUGENE PICKER, LOU WEINBERG, EDWARD PESKAY, ARTHUR SILVERSTONE and JOHN WRIGHT lunching at Lindy's (next to the Rivoli) yesterday.

•

MORT SINGER, JOHN J. O'CONNOR, FRED MEYERS, MAX FELLERMAN, JAMES MULVEY, BEN WASHER, SAM SHAIN, SAM SPRING, TERRY RAMSAYE and FRED WARING at Toots Shor's yesterday for lunch.

•

KENNETH MACKENNA, M-G-M story editor, plans to return to the Coast tomorrow.

•

HOWARD DIETZ, OSCAR A. DOOB, TOM CONNORS, TED O'SHEA, MAX A. COHEN, CHARLES M. REAGAN, J. J. UNGER and EDWARD GRAINGER having lunch yesterday at Nick's Hunting Room in the Astor.

•

FRANK PHELPS, HARRY BRANDT, LEE SHUBERT, ARTHUR LOEW, JACK KIRKLAND, ALEC MOSS, ARTHUR MAYER, MAX SIEGEL, MAX MARCIN, JOHN GOLDEN and AL LEWIS lunching yesterday at Sardi's.

•

WALT DISNEY, HAL HORNE, JOSEPH MOSKOWITZ and JOSEPH PINCUS at Lindy's (51st St.) yesterday for lunch.

•

MAURICE BERGMAN, MORRIS KINZLER and ERNEST EMERLING at the Tavern for lunch yesterday.

•

SOLOMON M. STRAUSBERG, son of SAM STRAUSBERG, Brooklyn circuit head, and JOAN PHYLLIS HORWITZ were married last week.

•

BELLE KANTOR, who handled publicity for Universal, is managing the personal appearance tour of GLORIA JEAN in key cities en route to the Coast.

•

WILLIAM L. KAYS, manager of Comerford's Globe, Scranton, Pa, and DOROTHY RITA DOLAN were married last week.

•

GEORGE WEISS, operator of the Stamford and Avon, Stamford, Conn., has an entry in the horse show in New York.

•

BETTY RAINEY of Comerford Theatres' accounting department, Scranton, Pa., and WILLIAM ANDRES of the circuit were married recently.

•

DOROTHY WILSON of Des Moines was married last week to GENE C. POST, Republic booker there.

Warners Purchase Million Debentures

Warner Bros. Pictures, Inc., has purchased $1,056,000 of its six per cent debentures, due 1948, since last April 30. On Oct. 31 there was outstanding $16,022,000 of the debentures.

It Never Rains

Watervliet, N. Y., Nov. 13

WILLIAM BARNEY who operates the Grand Theatre here, last week was in a bad automobile accident and suffered a broken nose, cuts and bruises. Confined to the house until Sunday night, he went out while Mrs. Barney took over operation of the theatre. On their return home they found a robber had paid them a visit.

Maugham Is Guest At Warners Party

W. Somerset Maugham was the guest of honor yesterday at a cocktail party in the Carlton Suite of the Ritz Carlton Hotel. Warners, who have produced a film from Maugham's work, "The Letter," were hosts.

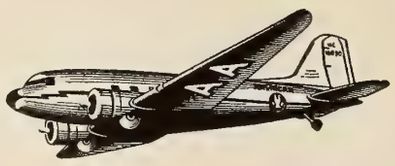
Among those attending were Mort Blumenstock, Sherwood Anderson, Jacob Wilk, Anna May Wong, Sam Shain, Lion Feuchtwanger, Pierre van Passen, Constance Collier, Jerome Weidman, Terry Ramsaye, Abel Green, Pete Harrison, Chick Lewis, Adelaide Hawley, Nate Gross, Hendrik Willem van Loon and I. A. R. Wylie.

Kentucky Exhibitor Fights Sunday Law

NICHOLASVILLE, Ky., Nov. 13. — George Pugh, operator of the Park Theatre here, has been granted a temperary injunction in Circuit Court here against enforcement of a city ordinance prohibiting Sunday film shows. The recently adopted law calls Sunday showings a "nuisance" and imposes fines of $20 to $50 for each performance. Pugh attacked the constitutionality of the ordinance in his suit. He said his theatre would operate next Sunday.

Schenck Case to Dec. 2

Trial of the Government tax suit against Joseph M. Schenck and Joseph M. Moskowitz will be postponed until Dec. 2, the U. S. attorney's office stated yesterday. Delay is required because Harold Corbin, Schenck's attorney, is now engaged in a trial which will last several weeks.



CALIFORNIA

American's Southern Sunshine Route

5 FLAGSHIPS DAILY COAST-TO-COAST

★ It's only an overnight skysleeper trip to Los Angeles via American's Famous Sunshine Route! Delicious meals aloft. Stewardess service. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: Rockefeller Center, 18 W. 49th St.; Grand Central, 45 Vanderbilt Ave.

CONVENIENT DEPARTURES

The Sun Country Special 6:45 am
The Plainsman . . . 4:10 pm
The Mercury (Two Sections) 4:45 & 5:10 pm
The Southerner . . . 10:35 pm

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame.

Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

ETTE DAVIS' GREATEST IS THE LETTER"

ETTE DAVIS' GREATEST IS THE LETTER"

ETTE DAVIS' GREATEST IS THE LETTER"

ETTE DAVIS' GREATEST IS THE LETTER"

ETTE DAVIS' GREATEST IS THE LETTER"

ETTE DAVIS' GREATEST IS THE LETTER"

ETTE DAV THE LETTER"

ETTE DAVIS' GREATEST IS THE LETTER"

ETTE DAVIS' GREATEST IS THE LETTER"

ETTE DAVIS' GREATEST IS THE LETTER"

ETTE DAVIS' GREATEST IS THE LETTER"

ETTE DAVIS' GREA IS THE LETTER"

YOU'LL SAY SO OVER AND OVER AGAIN!



WM. WYLER Production for
WARNER BROS.

By W. Somerset Maugham, with
HERBERT MARSHALL
JAMES STEPHENSON
Frieda Inescort
Gale Sondergaard
Screen Play by Howard Koch
Music by Max Steiner

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Oct. 18	Nobody's Children (D) *Edith Fellows* *Billy Lee*		Old Swimmin' Hole (D) 4010 *Moran-Jones*	Moon Over Burma (D) 4006 *Dorothy Lamour*	Hit Parade of 1941 (M) 001 *Kenny Baker* *Frances Langford*	Laddie (O) 107 *Tim Holt* *V. Gilmore*	Night Train (D) 114 *M. Lockwood* *Rex Harrison*		Slightly Tempted (C) 50-24 *Hugh Herbert*	Dispatch from Reuters (D) *Ed. G. Robinson* *Edna Best*
Oct. 25	West of Abilene (O) Girls Under 21 (D)	Hullabaloo (C) 109 *Frank Morgan* *Billie Burke*		Christmas in July (C) 4007 World in Flames (D)	Young Bill Hickok (O) 052 *Roy Rogers*	They Knew What They Wanted (D) *C. Laughton* *Carole Lombard*	The Great Profile (C) 111 *John Barrymore*		Seven Sinners (D) *Marlene Dietrich* *John Wayne*	Tugboat Annie Sails Again (D) *M. Rambeau* *Alan Hale*
Nov. 1	Blondie Plays Cupid (C) *Penny Singleton* *Arthur Lake*	Escape (D) 108 *Norma Shearer* *Robert Taylor*		Dancing on a Dime (C) 4008 *Grace McDonald* *Robert Paige*	Who Killed Aunt Maggie (D) *John Hubbard* *Wendy Barrie*	Li'l Abner (C) 109 Too Many Girls (M)			I'm Nobody's Sweetheart (D) 5036 Devil's Pipeline (D) 50-52	Always a Bride (C) *Rosemary Lane*
Nov. 8		Bitter Sweet (M) 110 *MacDonald* *Nelson Eddy*	Chamber of Horrors (D) *Leslie Banks*	Arise My Love (D) 4009 *Claudette Colbert* *Ray Milland*	Friendly Neighbors (M) *Weaver Bros. and Elviry*	Mexican Spitfire Out West (C) 111 *Lupe Velez*	Mark of Zorro (D) 117 *Tyrone Power* *Linda Darnell*		Sandy Gets Her Man (C) *Baby Sandy* *Stuart Erwin*	East of the River (D) *John Garfield* *Brenda Marshall*
Nov. 15	Beyond the Sacramento (O) *Bill Elliott* *Evelyn Keyes*	Gallant Sons (D) 111 *Jackie Cooper* *Bonita Granville*	Take Me Back to Oklahoma (O) *Tex Ritter*	Three Men from Texas (O) 4050 *William Boyd* *Russell Hayden*	Trail Blazers (O) *3 Mesquiteers* Melody Ranch (O)		Street of Memories (D) 102 *Lynne Roberts*		One Night in Tropics (M) *Nancy Kelly* *Alan Jones*	South of Suez (D) *George Brent* *Brenda Marshall*
Nov. 22	Escape to Glory (D) Lone Wolf Keeps a Date (D)	Little Nellie Kelly (M) 112 *Judy Garland* *George Murphy*	Phantom of Chinatown (D) *Keye Luke*		Texas Terrors (O) *Don "Red" Barry* *Julie Duncan*	You'll Find Out (M) 108 The Fargo Kid (O)	Youth Will Be Served (D) 119 *Jane Withers* *Jane Darwell*	Long Voyage Home (D) *John Wayne* *Thomas Mitchell*	Meet the Wildcat (D) 5023 *Ralph Ballamy*	The Letter (D) *Bette Davis* *Herbert Marshall*
Nov. 29	Ellery Queen, Master Detective (D) *Ralph Bellamy*	Comrade X (C) 113 *Clark Gable* *Hedy Lamarr*	West of Pinto Basin (O) *Ray Corrigan* *Terhune & King*		Meet the Missus (C) *Higgins Family*	Little Men (D) 110 *Kay Francis* *Jack Oakie*	Tin Pan Alley (M) 120 *Alice Faye* *Betty Grable*	Blackout (D) *Conrad Veidt* *Valorie Hobson*	The Bank Dick (C) *W. C. Fields* *Una Merkel*	Lady With Red Hair (D) *Miriam Hopkins* *Richard Ainley*
Dec. 6	Thundering Frontier (O) *Chas. Starrett* *Iris Meredith*	Go West (M) *Marx Brothers* *Diana Lewis*		Night at Earl Carroll's (C) *Ken Murray* *Lillian Cornell*	Border Legion (O) *Roy Rogers* *Gabby Hayes*		Charter Pilot (D) 118 *Lloyd Nolan* *Lynn Bari*		Margie (C) 5026 *Tom Brown* *Nan Grey*	Invitation to a Murder (D) 520 *Thomas Mitchell* *Jeffrey Lynn*
Dec. 13	Great Plane Robbery (D) *Jack Holt* *Vickie Lester*	Dr. Kildare's Crisis (D) *Lew Ayres* *L. Barrymore*	C. C. C. Camp (D) *Bobby Jordan* *Leo Gorcey*	Texas Rangers Ride Again (O) *John Howard* *Ellen Drew*	Barnyard Follies (C) *Mary Lee* *Rufe Davis*		Murder Over New York (D) 121 *Sidney Toler* *Ricardo Cortez*		Trail of the Vigilantes (D) *Franchot Tone* *B. Crawford*	She Couldn't Say No (C) 571 *Roger Pryor* *Eve Arden*
Dec. 20	Phantom Submarine (D) *Anita Louise* *Bruce Bennett*	Keeping Company (D) *John Shelton* *Ann Rutherford*	Her Father's Daughter (D) *Edith Fellows* *E. Evans*		Behind the News (D) *Lloyd Nolan* *D. Davenport*		Jennie (D) 122 *V. Gilmore* *William Henry*		Give Us Wings (D) *Dead End Kids*	Here Comes the Navy (D) 525 *James Cagney* *Pat O'Brien*
Dec. 27		Flight Command (D) *Robert Taylor* *Ruth Hussey*	Under Texas Stars (O) *Tex Ritter*	North West Mounted Police (D) 3946 Love Thy Neighbor (C)	Lone Star Raiders (O) *3 Mesquitters*		Chad Hanna (D) 123 *Henry Fonda* *Dorothy Lamour*	Thief of Bagdad (D) *Sabu* *June Duprez*	Invisible Woman (C) *J. Barrymore* *Virginia Bruce*	Santa Fe Trail (D) 551 *Errol Flynn* *O. De Havilland*
Jan. 3			You're Out of Luck (D) *Frankie Darro*	Second Chorus (C) *Fred Astaire* *Paulette Goddard*	Bowery Boy (D) *Dennis O'Keefe* *L. Campbell*		Hudson's Bay (D) 115 *Paul Muni* *Virginia Field*	Son of Monte Cristo (D) *Joan Bennett* *Louis Hayward*	Where Did You Get That Girl (D) *Helen Parrish*	Four Mothers (D) 503 *Lane Sisters* *Jeffrey Lynn*

You Know They'll 'Register' at the Box Office Because They're PRE-TESTED!



November 1
Color
'POPULAR SCIENCE' No. 2



November 8
Benchley
Comedy
'THE TROUBLE WITH HUSBANDS'



November 8
Fascinating
Journeys
'RIVER THAMES - YESTERDAY'



November 15
Gabby Color
Cartoon
'THE CONSTABLE'

PARAMOUNT SHORTS

Paramount Pictures

No Time for Comedy

Columbus, O., Nov. 13

Believing that some one was playing a prank, Barbara Mary Kossman, RKO Grand cashier, laughed when a well-dressed youth politely asked that she turn over the box-office cash. When a second and more convincing demand was made, the comedy angle vanished and she donated $45 to the bandit.

The feature being shown at the time was "No Time for Comedy."

Academy of Music Plans Stage Shows

Starting next Tuesday and on each Tuesday and Wednesday thereafter, the Academy of Music on 14th St., Manhattan, (Skouras) will have a stage show in addition to films. There will be no advance in prices. Three complete shows daily are planned. For the first show Louis Prima's band will head the bill, and Ella Fitzgerald will be the following week's headliner. The plan was tried on Election Day with Teddy Powell's band and it was decided to continue the policy.

Stevenson Directed To Testify in Suit

T. K. Stevenson, president of Erpi, was directed yesterday by Federal Judge John T. Clancy to testify before trial Nov. 20, in connection with the $6,000,000 treble damage anti-trust suit brought against Erpi by Stanley K. Oldden, assignee of Pacent Electric Co. Erpi, A. T. & T. and Western Electric are being sued on a claim that they "forced" the plaintiff out of the business of manufacturing sound equipment and accessories.

Decree Discussion At Camden Meeting

Operations of the industry, particularly theatres, under the consent decree will be discussed at an organization meeting of a Southern New Jersey unit of Allied of New Jersey to be held Monday at the Whitman Hotel, Camden. E. Thornton Kelly, the organization's field representative, has been lining up members for the unit.

Goldwyn to Ask Date For Korda Testimony

Samuel Goldwyn will ask Federal Judge John T. Clancy tomorrow to set a date for the examination before trial of Alexander Korda in the Goldwyn suit against United Artists. Examination of Korda had been ordered previously but no date has yet been set. Goldwyn is seeking cancellation of his distribution contract with the company.

A.A.A. to Arbitrate Drama Guild Pact

The American Arbitration Association has been appointed impartial arbitrator of all disputes arising under the recently completed basic agreement between the League of New York Theatres and the Dramatists Guild, which governs the purchase of film rights to plays in advance of production.

Feature Reviews

"Fantasia"

(Disney)

WALT DISNEY himself this week described "Fantasia" as a "noble experiment, which can mean either very much or very little to the film industry."

Whatever else may be true concerning the film as a technical exercise in the range and scope of the screen medium, it is extremely doubtful that it would be box-office, as that term is generally understood, across the country as a whole.

Disney, in the program, calls his production an "exciting adventure." It must have been, most certainly. And for many a music lover it will be an exciting event in the theatre. Utilizing the ultimate in screen technique developed over the years to its present state of near-perfection, Disney has taken several examples of the great compositions in musical history, as interpreted by Leopold Stokowski and the Philadelphia Orchestra. With full use of the imaginative wanderings which have made Disney great, and employing the finest of color technique, he has woven an amazing tapestry of kaleidoscopic impressions which may not be broad box-office, but certainly should be captivating to the discriminating and cultured audience.

Music compositions presented include: "Toccata and Fugue in D Minor," by Bach; Tchaikovsky's "Nutcracker Suite"; "The Sorcerer's Apprentice," by Paul Dukas, and Stravinsky's "Rite of Spring," to conclude the first half. The final phase comprises: Beethoven's famous "Pastoral Symphony"; "Dance of the Hours," by Ponchielli, and in conclusion, the sharply contrasted "Night on Bald Mountain," by Modeste Moussorgsky, and Schubert's "Ave Maria."

The film was recorded by RCA and reproduced by specially designed RCA Fantasound theatre equipment developed in collaboration with the Disney Studio. The voice of Deems Taylor, introducing each phase of the film, and the perfection of power and "musical enunciation" of the orchestral tone are perhaps the finest examples of the sound technique yet achieved by the motion picture.

The ingredients of visual interpretation employed by Disney are of the pattern of the Disney genius, in some instances carried to a degree not seen before. For the producer, the following are given general credit: Ben Sharpsteen, production supervision; Joe Grant and Dick Huemer, story direction; Edward H. Plumb, musical direction; Stephen Csillag, musical film editor; William E. Garity, C. O. Slyfield and J. N. A. Hawkins, recording.

Several of the sequences on compositions of unearthly implication have resulted in Disney caricature which might be guaranteed to give young children horrible nightmares, however effective they may be.

The film, as exhibited at the Broadway Theatre, New York, ran for two hours and 30 minutes, including an intermission of about 15 minutes. "A."* CHARLES S. AARONSON

**"A" denotes adult classification.*

"You'll Find Out"

(RKO)

A LIVELY, fast-moving bit of boxoffice merchandise which should be easy to sell and should leave the customers laughing is Kay Kyser's second offering, "You'll Find Out," a mystery with music.

Kyser, whose radio personality has given him listeners who number in the millions, has with him the madcap crew of "The College of Musical Knowledge" including his band, Ginny Simms, Harry Babbitt, Ish Kabibble and Sully Mason. They provide the music and laughs, with Peter Lorre, Bela Lugosi and Boris Karolff on hand to take care of the mystery and the horror, Helen Parrish and Dennis O'Keefe for the romance, and Alma Kruger to round out the cast.

Five songs are heard, "I'd Know You Anywhere," "You've Got Me This Way," "The Bad Humor Man," "Like the Fella Once Said" and "I've Got a One-Track Mind." An interesting expose of the spiritualism racket and a new instrument for special sound and musical effects called the Sonovox add further exploitation possibilities. The dialogue is of the fast, wise-cracking variety and the songs are worked into the plot smoothly with two scenes in a broadcasting studio and the rest at a house party at which Kyser has been engaged to entertain.

Kyser and his band find themselves in Miss Kruger's home, where Lorre, Lugosi and Karloff are using spiritualism to rob Miss Kruger of her money. The trio also seeks the death of Miss Parish because she is entitled to the fortune when she reaches 21.

David Butler produced and directed from a screen play by James V. Kern.

Running time, 97 minutes. "G."* EDWARD GREIF

**"G" denotes general classification.*

98% of U. S. Exhibitors to Fight Decree

(*Continued from page* 1)

presentation of M.P.T.O.A.'s principal objections by Henry G. Gray, special counsel retained by the organization for that purpose. Incidental and purely local objections will be made by spokesmen for the affiliated regional units, thus avoiding repetition in the presentation of objections.

If the court will permit the filing of briefs in support of the exhibitors' oral arguments, most of the organizational representatives are ready to submit them or to ask for time in which to prepare them.

Intervention Planned

So far as could be learned yesterday two exhibitor organizations, the Pacific Coast Conference of Independent Theatre Owners, represented by Paul F. Ziegler, Los Angeles attorney, and New York Allied, of which Max A. Cohen is president, plan to make attempts to intervene in the proceedings. Representatives of other exhibitor organizations indicated that they would be content, insofar as today's hearing is concerned, to state their objections as interested parties.

Ziegler said that he would ask the court to defer the entry of the decree until his action to intervene could be prepared. If this is denied and the decree is entered, he said, the organization plans either to seek some form of injunctive relief or to bring an entirely new action against the five consenting companies which would cover the points raised in the Government's original complaint and which the decree does not correct.

The exhibitors' objections will center principally upon the allegation that the decree solves none of their principal problems and may result in aggravating and increasing them. They will contend that they will suffer business injury through the operation of the decree's provisions.

The allegation will be made that exhibitors inspired the suit, assisted the Government in the preparation of its case and that none of the ills complained of in the Government's original bill are removed by the decree. Specific objections will be made to the trade showing and blocks-of-five sales provisions, some features of the arbitration rules, and to the conditions imposed upon several of the provisions relating to new theatre building, theatre expansion and negotiation for "some run."

'Bigger Monopoly' Charge

The charge will be hurled that the decree not only fails to eliminate "monopolistic practices" but entrenches them more firmly with the aid of the Government.

Attornevs for the five consenting companies and the Government met at the Bar Association yesterday and completed the signing of the consent decree on behalf of their principals so that it will be in formal order for submission to the court today.

'Arise' Draws Frisco Lead With $15,000

SAN FRANCISCO, Nov. 13.—"Arise My Love" and "Street of Memories" grossed $15,000 at the Fox in a slow week. "Too Many Girls" took $13,500 at the Golden Gate. The weather was bad.

Estimated takings for the week ending Nov. 5-7:

"Too Many Girls" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $13,500. (Average, $15,000)
"Arise by Love" (Para.)
"Street of Memories" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $15,000. (Average, $16,000)
"Glamour for Sale" (Col.)
"Spring Parade" (Univ.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $7,500. (Average, $8,000)
"Down Argentine Way" (20th-Fox)
"Quarterback" (Para.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $9,500. (Average, $11,500)
"The Westerner" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 3rd week. Gross: $7,000. (Average, $8,000)
"Moon Over Burma" (Para.)
"Comin' 'Round the Mountain" (Para.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $5,500. (Average, $6,000)
"Dispatch From Reuters" (W. B.)
"World in Flames" (Para.)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days. Gross' $11,500. (Average, $12,000)
"Daybreak" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days, 2nd week. Gross: $600. (Average, $1,000)

Feature Review

"The Letter"
(Warners)

FROM Somerset Maugham's notable work of the same title, Warners have fashioned an equally notable motion picture.

There must of necessity be some question to what extent all types of audiences will be interested in unrelieved drama heavily laden with overtones of tragedy. Notwithstanding, of such splendid quality is the mounting which Jack L. Warner and Hal B. Wallis have afforded the production, and so strong are the performances of the leading players, that the film's sheer artistry should compensate for its lack of dramatic relief.

There is little to choose between the performances of Bette Davis and James Stephenson, as her friend and attorney, while Herbert Marshall, as her husband, and Gale Sondergaard, as the half-breed woman of Singapore, are excellent in support. William Wyler grasped fully the heavy pace of tragic development which stalked through the Maugham work, and in his direction created an atmosphere which provided the maximum of background effect. The screenplay of Howard Koch has resulted in a smooth and strongly paced dramatic script. Robert Lord was associate producer.

The story is set in Singapore and on a rubber plantation nearby, managed by Marshall, an Englishman, whose wife is Miss Davis. When a former friend, a man, is shot to death by Miss Davis, she pleads self-defense and, although Stephenson, lawyer and friend, doubts her glib and too emotionally detailed story, her husband believes her implicitly.

From that point, the film moves with steady pace to its conclusion. She is freed after Stephenson, because of affection for Marshall, jeopardizes his legal career by buying from the Singapore woman, wife of the victim, a letter which proves that self-defense had no part in her murder of a man she secretly loved. Marshall learns the truth, offers to forgive, but she admits she still loves her victim. With ruin in the trail of her weakness, Miss Davis meets her death at the hand of the half-caste woman.

Running time, 95 minutes. "A."* CHARLES S. AARONSON

*"A" denotes adult classification.

Chicago Gives $36,000 Tally To 'Dictator'

CHICAGO, Nov. 13. — "The Great Dictator" which opened simultaneously at the Apollo with a two-a-day policy at 85c, $1.10 and $1.65 and at the Roosevelt with a continuous policy with admission set at 75c matinees and $1.10 evening drew a total of $36,000 at the two houses.

Estimated takings for the week ending Nov. 8:

"Great Dictator" (U. A.)
APOLLO—(1,400) (85c-$1.10-$1.65) twice daily. Gross: $16,000. (Average, $6,500)
"North West Mounted Police" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days, 2nd week. Stage: Betty Grable and Ken Murray. Gross: $38,000. (Average, $32,000)
"Wyoming" (M-G-M)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $7,500. (Average, $5,000)
"Glamour for Sale" (Col.)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Elsa Maxwell & Unit. Gross: $16,000. (Average, $13,000)
"Spring Parade" (Univ.)
"Men Against the Sky" (RKO)
PALACE—(2,500) (35c-40c-60c) 7 days, 2nd week. Gross: $11,000. (Average, $13,000)
"Great Dictator" (U. A.)
ROOSEVELT—(1,500) (75c-$1.10) (continuous). Gross: $20,000. (Average, $11,000)
"Argentine Nights" (Univ.)
STATE-LAKE—(2,700) (25c-40c) 7 days. Stage: Hollywood Unit. Gross: $15,000. (Average, $15,000)
"Foreign Correspondent" (U. A.)
UNITED ARTISTS—(1,700) (35c-55c-75c) 6 days. Gross: $17,000. (Average, $14,000)

'Police' at $11,000 Big in Providence

PROVIDENCE, Nov. 13.—In the second week at the Strand, "North West Mounted Police" and "Girl From Havana" took $11,000. With increased admissions, "The Great Dictator" garnered $15,600 at Loew's State.

Estimated takings for the week ending Nov. 6-7:

"Too Many Girls" (RKO)
"Stranger on the Third Floor" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $7,000. (Average, $6,000)
"The Great Dictator" (U. A.)
LOEW'S STATE—(3,232) (75c-$1.10) 7 days. Gross: $15,600. (Average, $11,000)
"A Little Bit of Heaven" (Univ.)
"A Dispatch from Reuters" (W. B.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gloria Jean in person on stage, three days. Gross: $6,000. (Average, $7,000)
"North West Mounted Police" (Para.)
"Girl from Havana" (Rep.)
STRAND—(2,200) (35c-50c-65c) 7 days, 2nd week. Gross: $11,000. (Average, $6,000)
"That Gang of Mine" (Mono.)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with Al Trahan, Barry Wood, Little Jack Little and orchestra, Master & Rollins and The Co-Eds. Gross: $3,800. (Average, $7,000)
"Down Argentine Way" (20th-Fox)
"The Great Profile" (20th-Fox)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $3,500)
"Young Bill Hickok" (Rep.)
"Sandy Gets Her Man" (Univ.)
FAY'S — (1,800) (15c-28c-39c) 7 days. Gross: $2,600. (Average, $2,500)
"Brigham Young" (20th-Fox) (3 days)
"Public Deb. No. 1" (20th-Fox) (3 days)
"The Howards of Virginia" (Col.) (4 days)
"The Quarterback" (Para.) (4 days)
EMPIRE—(2,200) (20c-28c) 2nd run. Gross: $1,700. (Average, $1,700)

A ★ M ★ P ★ A

luncheons are the talk of the industry. You miss something really worth while if you don't attend. For instance, this week we are happy to present

EDGAR KOBAK

Vice President—National Broadcasting Co.

Main Title of His Address:

"YOU'RE IN THE SHOW BUSINESS, TOO!"

(Rather Provocative—Eh what?)

ENTERTAINMENT SURPRISES

COME! Hear about the wedding of radio and movies

COLLEGE ROOM—HOTEL EDISON

TODAY, November 14

Serving 12:45 sharp ***Guests $1.25 with tip***

'Zorro' at $19,500 Is Hit in Cincinnati

CINCINNATI, Nov. 13.—Despite election, which had considerable effect on theatre attendance, "The Mark of Zorro" piled up a smash $19,500 at the RKO Shubert. "Too Many Girls" gave the RKO Palace $11,000.

Estimated takings for the week ending Nov. 6-9:

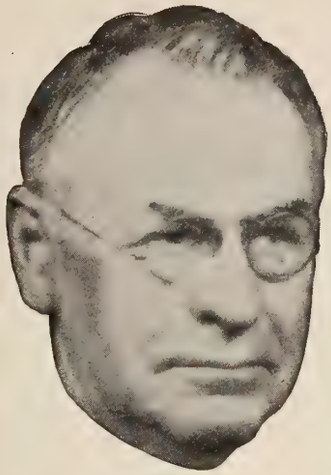
"The Mark of Zorro" (20th-Fox)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $19,500. (Average, $12,000)
"Too Many Girls" (RKO)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $11,000. (Average, $10,000)
"Knute Rockne—All American" (W. B.)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days, 3rd week. Gross: $2,900. (Average, $5,000)
"The Westerner" (U. A.)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $5,000. (Average, $5,500)
"Hullabaloo" (M-G-M)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $5,800.
"Blondie Plays Cupid" (Col.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days. Gross: $3,000. (Average, $4,500)
"Calling All Husbands" (W. B.)
"Mystery Sea Raider" (Para.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"Wagon Train" (RKO)
"I'm Still Alive" (RKO)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)
"Rangers of Fortune" (Para.)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $3,000. (Average, $5,000)

Gets 4 Italian Films

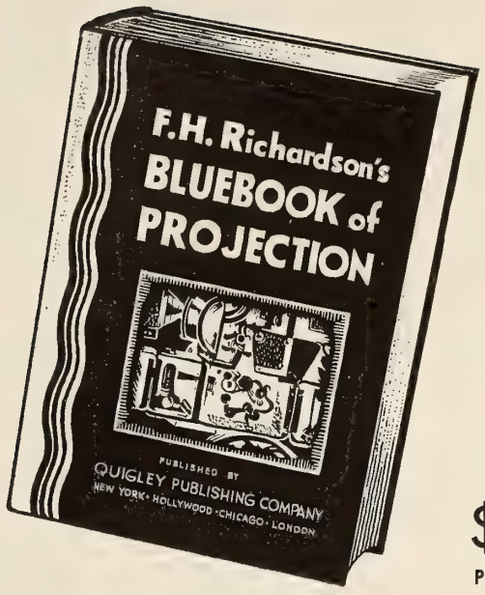
Esperia Film Distributing Co. has acquired the American rights to four Italian films: "Manon Lescaut," based on music by Puccini and featuring arias sung by Beniamino Gigli; "Dream of Butterfly," "Beyond Love" and "Love Me, Alfredo," from the opera "La Traviata."

Open Exchange Here

Ben Price, former salesman at Universal's New York exchange, and Sam Phillips, former head booker, will open their own exchange at 630 Ninth Ave., tomorrow.



There is no substitute for RICHARDSON in the projection room



$7.25
POSTPAID

Second Revision Sixth Edition

•

Trouble-Shooting Charts

•

Alphabetical Index System

•

700 Pages of up-to-the-minute data that every projectionist needs!

THE REVISED BLUEBOOK MOST ADVANCED MANUAL ON MODERN SOUND REPRODUCTION AND PROJECTION

The newly revised Bluebook does a threefold job: (1) it gives a detailed description of the construction, wiring and functioning of every piece of sound and projection apparatus used in a modern projection room. (2) It gives careful instructions on the operation and maintenance of this equipment. (3) It is a quick and effective trouble-shooter with sound trouble-shooting charts that enable the projectionist to spot and repair sudden breakdowns both in the projection and sound apparatus. The new edition is handy to keep and handy to use, with an alphabetical index system for quick, easy reference.

You will find the revised Bluebook the most complete treatise of its kind and a sure solution to every projection problem.

ORDER THE BLUEBOOK NOW

QUIGLEY BOOKSHOP

ROCKEFELLER CENTER, NEW YORK, N.Y.

Showmanship Flashes . . .

Has Realistic Display for 'Foreign Correspondent'

PARSONS, Kan., Nov. 13.—A realistic interpretation was provided by David Dallas, manager at the Kansan here, for "Foreign Correspondent." Anti-aircraft guns (cardboard cutouts painted realistically) were mounted in the foyer. In a midnight opening program the Kansan held a "blackout prevue." Burlap bags filled with straw but looking like sandbags were placed on the canopy with a machine gun, World War vintage, in the center. Eleven-foot anti-aircraft guns of beaverboard, painted, and three large searchlights completed the preparations for the front. At the prevue, just before the show went on, all the lights went out, and five boys, dressed as soldiers, staged an air raid drill. Three of the boys manipulated the searchlights while two manned the aircraft guns. Just for good measure several aerial "bombs" and whistling bombs were exploded.

Yardage Street Marker Used for 'Knute Rockne'

Gettysburg, Pa., Nov. 13.—Syd Poppay, manager of the Majestic, for "Knute Rockne—All American," had five arrows placed in the heart of the city bearing the copy: "85 Yards to Go—Majestic Theatre."

Warners Set Contest For 'Santa Fe Trail'

An elaborate national promotional campaign has been developed for Warners' "Santa Fe Trail," starring Errol Flynn, with the cooperation of *Scholastic Magazine*. It will take the form of a nationwide contest among high school students for the best 25 to 50-word conversation that might have taken place between John Brown, played by Raymond Massey, and Jeb Stuart, played by Flynn, when Stuart is captured by Brown.

Women Get Photos in Promotion on 'Question'

PHILADELPHIA, Nov. 13.—William Yurasko, manager of the Sedgwick, for "Lady in Question," distributed 25 scene photos autographed by Rita Hayworth, who appears in the feminine lead, to the first 25 women patrons at the theatre for the opening of the picture's run. The photos came from the Columbia studios, representing actual scenes from the photoplay.

RKO-Western Union Tieup for 'Girls'

RKO has arranged a national tieup with Western Union for the use of jumbo telegrams in the promotion of "Too Many Girls." A total of 5,000 enlarged wires have been provided for theatre use and Western Union office displays. Full picture credit is carried on the displays.

'Li'l Abner' Tied in With 'Hawkins Day'

GREENVILLE, N. C., Nov. 13.—The Pitt Theatre here tied in "Li'l Abner" with "Sadie Hawkins Day." Local papers gave considerable space to the promotion worked out between the Pitt and local school principals.

Off the Antenna

A REVISED rebroadcast policy has been adopted by WOR which will provide listeners here with important speeches at three different times during the day. As a rule, WOR plans to record and rebroadcast important talks after closing time at 2 A.M. but if a speech is sufficiently important a second rebroadcast will be made during evening hours. The first policy on rebroadcasts adopted recently by WOR called for rebroadcasting during the following afternoon of interesting evening shows on the Mutual lines not carried because of local commercial commitments.

• • •

Purely Personal: *William Kostka, manager of the NBC press department, is home ill with a throat infection. . . . Allen Finn is the new radio editor for* Newsweek *succeeding Al Newman who has been transferred to sports. . . . James Monks has been screen tested by 20th Century-Fox for a role in "How Green Was My Valley." . . . Jimmy Lunceford will be guest on "Amateur Night" over WMCA next Wednesday at 11 P.M. . . . Ben Gross, radio editor of the* Daily News, *will be guest on "Behind the Mike," over NBC-Blue Sunday at 5:30 P.M.*

• • •

Ground will be broken at noon today for the new NBC Building in San Francisco. Construction of the four-story building is expected to take 10 months. It will contain 52,800 square feet of studios and office space, more than double the present accommodations for KGO and KPO.

• • •

Audience participation shows requiring the cooperation of studio audiences are nothing new, but WINS is going to reach into the home for its talent on a new program, "What's the Answer?," which will start Monday at 10:45 A.M. and continue on Mondays through Fridays. Ken O'Neal, who will conduct the show, will pick answers out of one box and telephone numbers in the New York Metropolitan district from another. He will then telephone the number selected and ask the question, with a $5 credit check given if the person answering the phone can answer correctly.

• • •

"Rise of the Goldbergs," *one of the leading daytime serials, will celebrate its 11th anniversary next Wednesday. The program, now heard over CBS Mondays through Fridays at 5 P.M., has had connected with it in various capacities a large number of radio and film names, among them Garson Kanin, John Garfield, Owen Davis, Jr., Billy Halop and Martin Gabel.*

• • •

F. W. Woolworth Co., which has experimented with radio advertising in other parts of the country, will try its first New York program over WABC, Dec. 2 to 7. It will be a five-minute news program at 3:55 P.M., Monday through Friday and at 11 P.M. Saturday. The one-week test may result in a regular series, it was said.

4 High Frequency Stations Planned

WASHINGTON, Nov. 13.—Applications for construction permits for four high frequency broadcasting stations have been filed with the Federal Communications Commission today.

The permits were asked by the Columbia Broadcasting System, Inc., New York, for a 44,900-kilocycle station to cover 14,150 square miles with a population of 14,954,832; Federated Publications, Inc., Lansing, Mich., for a 47,100-kilocycle station to cover 3,820 square miles with a population of 278,162; Federated Publications, Inc., Battle Creek, Mich., for a 48,100-kilocycle station to cover 4,100 square miles with a population of 278,739, and Federated Publications, Inc., Grand Rapids, Mich., for a 46,100-kilocycle station to cover 5,300 square miles with a population of 518,766.

The commission also received applications from Stations WATR, Waterbury, Conn., for increase of power from 250 to 1,000 watts, and WTAG, Worcester, Mass., for increase of night power from 1,000 to 5,000 watts.

Join Cast of Play

Alex Yokel has added Neil Moore and Daniel Ocko to the cast of "Horse Fever" now in rehearsal. The play is scheduled to open at the Mansfield Theatre Nov. 20.

Paley Compensation Was $204,270 in 1939

William S. Paley, president of CBS, received $204,270 as compensation from the network during 1939, according to a Securities and Exchange Commission report made public yesterday. Edward Klauber, executive vice-president, received $94,484, and Paul W. Kesten, vice-president, $53,339, the report stated.

Harry MacFayden Dead

Harry A. MacFayden, 59, a production director for NBC for the past eight years, died early yesterday of pneumonia at Flower Hospital. MacFayden acted in or directed about 500 plays during his career. He was a member of the De Wolf Hopper company, a director for Universal, and was associated with David Belasco for eight years.

RCA Aided 'Vitasound'

HOLLYWOOD, Nov. 13.—A new sound system, "Vitasound," announced Tuesday by Warners as a development of Major Nathan Levinson following five years of research, was developed in cooperation with RCA, it was learned today.

Ben Bernie at Ampa

Ben Bernie augments the entertainment program of the Ampa luncheon meeting today in the College Room of the Hotel Edison.

Short Subject Reviews

"The Trouble With Husbands"

(Paramount)

The inimitable Robert Benchley, in this first of a new series of subjects for Paramount, lectures on and demonstrates some of those annoying little tricks of husbands which turn wives' hair gray and their thoughts to methods of justifiable homicide. In the way that only Benchley can do it are recorded the episode of the last-minute washing before dinner, the matter of the emergency purchase of a half-pound of butter, and the case of the shelf on the kitchen wall. It's all delightfully amusing, probably because it is so human—and so accurate. The subject should be good for exploitable laughs. Running time, 11 mins.

"Information Please, No. 3"

(RKO-Pathe)

The same spontaneous wit and uncanny display of knowledge which have characterized the short's predecessors are here and so this subject is as refreshing as ever. In this, Alice Marble of tennis fame is active as the guest expert and enhances the subject considerably, supplying the desired information at times and renddering in pleasant voice "Comin' Through the Rye." Messrs. Levant, Keiran, Adams and Fadiman are present in their regular positions. Running time, 10 mins.

"Picture People, No. 3"

(RKO-Pathe)

The formal opening of Don Dickerman's new Hollywood club, "Pirate's Den," provides the subject matter for this third in the new series. The subject is ideal for Hollywood fans. "Pirate's Den" is the much publicized night spot which is being backed by Ken Murray, Rudy Vallee, Jimmy Fidler and others. Gary Cooper, Ralph Bellamy, Nancy Kelly, W. C. Fields are among the personalities on view. Running time, 10 mins.

"Tattle Television"

(RKO)

This is a Leon Errol comedy with Lulu Mae Hubbard, Irene Ryan, Ginger Pierson, Ken Christie and Ethel Levey. Errol's wife, envious of her neighbor, asks for a television set. Errol attempts to save some money by buying a second hand set. He has some difficulty with the owner, a young girl, and her boy friend. His wife, suspicious, enters the scene with a detective. There are some laughs. Running time, 15 mins.

"Mr. Mouse Takes a Trip"

(Disney-RKO)

Mickey Mouse and his canine companion, Pluto, become involved in some hilarious situations as they board a train on which the dog is persona non grata. Although folded in a suitcase, Pluto is soon detected by Pete, the conductor, and both Mickey and Pluto are booted off the train and on to a mail rack along the tracks. Running time, 8 mins.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 97 NEW YORK, U. S. A., FRIDAY, NOVEMBER 15, 1940 TEN CENTS

Court Decision on Pact Looked for by Monday

Exhibitors Opposing Consent Decree Have Day in Court; One Attempt to Intervene Frowned Upon by Goddard

By SHERWIN A. KANE

Federal Judge Henry W. Goddard's decision on the consent decree in the Government's New York anti-trust suit may be handed down by Monday, the court indicated yesterday after hearing objections to the decree from two major distributors, two national exhibitor organizations, 12 regional exhibitor organizations, spokesmen for Paramount theatre operators and Local 802, American Federation of Musicians.

The decree was defended only by Assistant U. S. Attorneys General James Hayes and Robert Sher. No industry representative appeared on behalf of the decree. Principal attorneys for the five consenting companies were present at the hearing but did not speak.

The exhibitor representatives claimed to speak for more than 13,000 of the nation's 14,000-odd operating theatres. Although some yielded to others to avoid repetition of arguments, and the court advocated as brief presentations as possible by the exhibitor spokesmen, no effort was made to drastically curb their speaking time.

The hearing ran from 11.45 A. M. to 5:00 P. M. with an adjournment for lunch of slightly less than an hour.

Only one exhibitor attempt to in-

(*Continued on page 3*)

Map Film Market Into 31 Districts For Arbitration

THE motion picture market of the United States has been remapped for the operation of the Arbitration System, as provided in the consent decree, into 31 districts.

A map showing the division of the country into arbitration districts, as drawn by the American Arbitration Association, will be found on Pages 4 and 5.

The cities selected for headquarters of the local arbitration boards are exchange cities, but the lines of the arbitration map, which follow county boundaries, are not those of the old exchange districts in each case. Consideration was given to means of transportation, population and other factors in determining the size and shape of the various districts.

Beginning in the northeast section of the country, districts and local arbitration tribunal cities are:

Maine, Vermont, New Hampshire, Massachusetts, Rhode Island—Arbitration tribunal headquarters at Boston.

Connecticut—New Haven.

Southern New York and Northern New Jersey—New York City.

Eastern Pennsylvania, Delaware and Southern New Jersey—Philadelphia.

Central New York—Albany.

Western New York—Buffalo.

(*Continued on page 7*)

Objections to New Complaint Set for Dec. 5

Federal Judge Henry W. Goddard yesterday set Dec. 5 for a hearing of objections by Universal, Columbia and United Artists, the non-consenting companies, to the Government's petition for leave to file an amended complaint directed at them.

The petition, which names all eight major companies, was submitted to Judge Goddard yesterday by the Government. It was accepted by the five consenting companies, and Judge Goddard signed an order authorizing the filing of the amended complaint against them. They will be dropped as defendants in the new action if and when the consent decree is approved by the court. The court then set the date for the hearing of the

(*Continued on page 7*)

Church Report Warns Against Indecent Films

Sharp Protest Voiced by Legion of Decency

WASHINGTON, Nov. 14.—"While in the recent past it has been our pleasure to note the efforts which cinema producers have made to improve the moral character of motion picture entertainment, and to express our appreciation of results obtained, it now becomes our duty to warn our people that some of the ground gained has been lost," the Episcopal Committee on Motion Pictures reported today before the annual meeting of the Archbishops and Bishops of the Catholic Church.

While the conference did not indicate that it would resume the boycott tactics which it adopted some years ago to clean up the film situation, it did call upon communicants throughout the country "to renew their vigilance against the pernicious influence of films which disregard the

(*Continued on page 8*)

Tucson Ready for 'Arizona' Premiere

TUCSON, Ariz., Nov. 14.—Columbia's "Arizona" will be given its world premiere here tomorrow, the first day of a two-day celebration which will continue through Saturday. The film will open in five houses, the State, Rialto, Lyric and Fox and the Temple of Music and Art.

Jean Arthur, who stars in the picture, will make a personal appearance, and Charles Ruggles, brother of Wes-

(*Continued on page 8*)

Several Injured in Theatre Collapse

Pittsburgh, Nov. 14.—Several patrons were injured early tonight when the Alvin Theatre ceiling collapsed, driving several hundred customers to the street. The majority of the patrons escaped injury and filed from the theatre in orderly manner. They were able to reach safety because of the heroism of a booth operator who ripped the film from the projection machine and focused the light on the auditorium to guide the patrons to the exits.

Local Film Critics Praise Walt Disney's 'Fantasia'

By SAM SHAIN

Few pictures have been so unreservedly praised by the film critics of the metropolitan New York newspapers as has been "Fantasia," the new Walt Disney picture, which is current at the Broadway Theatre. At the same time, the published appraisals of the picture by the music critics of some of these newspapers indicate great restraint.

The picture was given what the trade is wont to call a "brilliant" opening Wednesday night, for charity. The British War Relief was the beneficiary of the event and tickets sold at $10 each. Except for Disney officials and their wives, and some society news reporters of the metropolitan newspapers, all seats were on a cash-and-carry basis that night. An informal preview of the

(*Continued on page 8*)

Final Arbitration Budget Is $465,000

Budget for the operation and maintenance of arbitration and appeals boards, after the first year, has been set at $465,000, it was announced by the American Arbitration Association yesterday. The first year's budget is $490,000, and the difference for the subsequent years represents the cost of furnishing offices.

The Federal court may order an increase of not more than $50,000 in the arbitration budget for any year if the need arises. The boards are scheduled to start next Feb. 1.

J. Noble Braden, A.A.A. executive secretary, will defer his trip to establish boards in 31 exchange cities until the decree has been approved, it was indicated.

Council of C.E.A. Ratifies Objection To Army Film Plan

LONDON, Nov. 14.—The general council of the Cinematograph Exhibitors Association yesterday formally ratified the stand of the association's officers in opposition to the Army Council plan to take over the supply of films to English troops.

The council deplored the handling of the matter by the War Office, and in effect reprimanded Oscar Deutsch, head of the Odeon Circuit, for his action in approaching the Army Council individually against an agreed and established exhibitor policy. The council emphasized that the C.E.A. is in complete accord on the matter with the Kinematograph Renters Society (distributors).

The council empowered the C.E.A. officers to meet and hear the views of Teddy Carr, co-manager for United Artists in England, on the terms for Charlie Chaplin's "The Great Dictator."

It was decided to press for Sunday theatre opening with a national campaign without charity taxation.

Hague Is Reelected By Canada Pioneers

TORONTO, Nov. 14.—Clair Hague was reelected president of the Canadian Picture Pioneers at the first annual meeting here last night. Among the new directors is N. L. Nathanson, president of Famous Players Canadian, who qualified by completing 25 years in the industry.

Other directors are: Leo Devaney, Ben Cronk, James P. O'Loghlin, Tom Daley, Ernest Moule, Harry Alexander, Sydney Taube, Haskell Masters and Archibald Laurie. The induction of 37 theatre and exchange men brought the membership to 170, of whom 90 are in this district.

Gene Autry attended the dinner after a parade through several Western Ontario towns with Premier M. F. Hepburn. Today he opened the rodeo here under auspices of the Pioneers for the relief of war victims. Hal Hode of Columbia represented the Picture Pioneers of the United States on behalf of Jack Cohn, who heads the organization.

Lindy's INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

H. M. RICHEY, director of M-G-M exhibitor relations and assistant to WILLIAM F. RODGERS, M-G-M general sales manager, is due Wednesday from a trip to Dallas, New Orleans, Little Rock and Memphis.

•

WILL H. HAYS left for the Coast last night by train.

•

BARNEY BALABAN, president of Paramount, is expected to return from Hollywod next week.

•

CHARLES CASANAVE, MILTON KUSELL, DAVID A. LEVY, WILLIAM SCULLY, MARCUS HEIMAN and SAM HARRIS lunching at Nick's Hunting Room in the Astor yesterday.

•

HERMAN ROBBINS, JOHN KRIMSKY, WILLIAM MELNIKER, ALEC MOSS, CLAYTON BOND, SIDNEY PHILLIPS, OTTO PREMINGER, AL LEWIS and LEE SHUBERT lunching yesterday at Sardi's.

NAT HOLT, RKO Theatres division manager, is due here Monday from his headquarters in Cleveland.

•

EDWARD A. GOLDEN, Monogram vice-president, has left for his headquarters at the studio.

•

B. G. KRANZE, RKO branch manager in Albany, is here for home office and circuit conferences.

•

BERT STEARN, CHARLES STERN, ARTHUR SILVERSTONE and WILLIAM BRANDT having lunch yesterday at Lindy's (51st St.).

•

HARRY LAMONT, exhibitor in the Albany district, has returned from a trip to New York.

•

LARRY COWAN, manager of the Fabian Grand, Albany, is using a cane because of a pulled tendon.

•

MARY PICKFORD is in town.

Rain Takes Toll of Broadway Grosses

Three days of steady rain took their toll at Broadway box-offices with a sharp falling off all along the street. Strong weekend and Armistice Day grosses, however, kept the week's tallies from dropping too much.

"Tugboat Annie Sails Again," with Teddy Powell's band, Priscilla Lane and Jack Haley on the stage drew an estimated $25,000 for the first week at the Strand and was held over for a second. "The Letter" will open there next Friday.

The second week of "Escape" with a stage show at the Music Hall was good for an estimated $86,000 and the film started its third week yesterday. "Bittersweet" is scheduled to open at the Hall Thursday.

"You'll Find Out" opened at the Roxy for a one week engagement yesterday with Kay Kyser's band on the stage as well as in the film. The last five days of "Mark of Zorro" with a stage show at the Roxy grossed an estimated $35,000.

Gibney Reelected Writer Guild Head

HOLLYWOOD, Nov. 14.—Sheridan Gibney was reelected president of the Screen Writers Guild last night. A recount was ordered in the vice-presidential contest, as the vote for Sidney Buchman and Dwight Taylor was extremely close.

Other officers are: Dore Schary, secretary, and Lester Cole, treasurer. Named to the executive board were: Ralph Block, Jerome Chodorov, Joseph Fields, Harry Kurnitz, Ring Lardner, Jr., John Howard Lawson, William Ludwig, Maurice Rapf, Donald Ogden Stewart, Gibney Buchman, Schary and Taylor.

The constitution was amended to require 26 weeks' studio work instead of 12 as a qualification for active membership.

'Santa Fe' Opens Dec. 13

The premiere of "Santa Fe Trail," Warner film starring Errol Flynn and Olivia de Havilland, will be held at Santa Fe, New Mexico, on Dec. 13.

Convention Opened By National Board

The National Board of Review of Motion Pictures yesterday opened its 17th annual conference at the Hotel Pennsylvania. The general subject of this year's meeting is "New Frontiers for American Movies."

James Shelley Hamilton, executive director, opened the three-day meeting yesterday morning with an address of welcome to the delegates from approximately 37 states. The morning session yesterday was occupied with a panel on community motion picture activities, with Mrs. Lewis P. Addoms, president of the Motion Picture Council of Brooklyn, as leader.

During the afternoon, the delegates attended the matinee performance of Walt Disney's "Fantasia" at the Broadway Theatre, as guests of Disney Productions. The evening was spent in attendance at a motion picture course at New York University's School of Education, with Dr. Frederick M. Thrasher as chairman. Richard Griffith of the Museum of Modern Art Film Library was speaker at the session of the course.

The conference will conclude with the 26th annual luncheon at the Hotel Pennsylvanida on Saturday. Numerous speakers are scheduled to address the delegates during tomorrow's morning and afternoon sessions.

Bernhard on Tour Of Albany and Troy

ALBANY, Nov. 14.—Joseph Bernhard, general manager of Warner Theatres, was here today on a visit to the circuit's seven theatres in Albany and Troy. Bernhard conferred with Moe Silver, zone manager, and discussed general operating problems with Silver and department heads.

Lipton Due Jan. 1

HOLLYWOOD, Nov. 14.—David Lipton, recently appointed advertising and publicity director of Columbia, will continue at the Universal studio until Dec. 15, and will spend two weeks at the Columbia studio before going East.

Newsreel Parade

THE sudden and dramatic exit from New York harbor and her berth of the Queen Elizabeth, *largest liner afloat, presumably bound on war duty for England, received full attention from all the newsreels in the weekend issues. Contents follow:*

MOVIETONE NEWS, No. 20—Departure of *Queen Elizabeth*. Explosion in New Jersey. Colorado girls climb mountain. Missouri turkeys face last hours. Tornado in Tennessee. Horse show in Madison Square Garden, New York. Aviators flying in Canada. Fashions in evening wear. Brooklyn professional football game.

NEWS OF THE DAY, No. 218—World's largest liner sails, probably to war duty. Cave dwellers' life in London raid shelters. Sabotage suspected in New Jersey blast. U. S. and Canada display preparedness in the air. College football games.

PARAMOUNT NEWS, No. 23—*Queen Elizabeth* sails from New York. German prisoners pictured exclusively in Canada. Girls sign for National Service League in Tacoma. Election bets paid off. War birds fly in Canada and Virginia. Blasts and Atlanta fire probed by F.B.I. Football games in Dallas and at New Haven.

RKO PATHE NEWS, No. 23—Fire in Atlanta armory; explosion in New Jersey plant. *Queen Elizabeth* sails for war duty. U. S. pilots in training in Virginia; Canadians test wings at Ottawa. Emperor reviews Japanese army. Mobile recruiting unit. Stanford beats Washington on gridiron.

UNIVERSAL NEWSREEL, No. 928—Torpedo factory fire in New Jersey. Fire destroys Atlanta armory. Windstorms hit Chicago. *Queen Elizabeth* sails from New York. Mobile hospital demonstrated. Air demonstration in Virginia. Texas turkeys eye the axe. Six-day bike race in Chicago. Horse show in New York. Fordham-Purdue on football field.

Republic Meeting In Toronto Today

TORONTO, Nov. 14.—The second of a series of Republic regional sales meetings will be held here tomorrow and Saturday at the Royal York Hotel, with A. W. Perry, general manager of Empire Films, Ltd., and branch managers attending.

James R. Grainger, Republic president, will arrive tomorrow from New York. Herbert J. Yates, head of Consolidated Film Industries, is now here and will also attend.

Branch managers in attendance will include H. O. Painter, Toronto; I. W. Blankenstein, Calgary; M. J. Isman, Montreal; Frank L. Vaughan, Winnipeg, and Gerald M. Hoyt, St. John.

MOTION PICTURE DAILY
(*Registered U. S. Patent Office*)
Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

Exhibitors Have Day in Court on Decree

12 Regional Theatre Units Fight Decree

(Continued from page 1)

tervene in the proceedings was made and that was frowned upon by the court. This attempt was made by Paul Ziegler of the Pacific Coast Conference of Independent Theatre Owners. Other exhibitor spokesmen contented themselves with oral objections to the decree's provisions. Several were permitted to file briefs in support of individual arguments, but the court, for the most part, refused to accept general briefs.

The Alignments

The hearing was more notable, perhaps, for the odd alignments and contradictions, tradewise, of groups and viewpoints than for the testimony given. Representatives of three and four-theatre operations stood shoulder-to-shoulder in their opposition to the decree with some of the nation's largest and most powerful circuits; Allied States found itself aligned with its principal lance-tilter, the national M.P.T.O.A.; representatives of two M.P.T.O.A. regional affiliates yielded their speaking time to Abram F. Myers, Allied general counsel and chairman, after finding themselves concurring with his expressions; two major distributors bulwarked the exhibitor opposition.

Judge Goddard was moved at one point to inquire of Sher whether he "knew of any small exhibitor or independent who approved of the decree." Sher, with obvious reluctance, was forced to admit that he knew of some "individuals" but no independent groups in favor of it.

"With this array appearing as 'friends of the court,'" Sher remarked, "it would seem that the court has many more friends than the decree."

Referee Hearing Urged

Milton Weisman, attorney for New York I.T.O.A., in the course of his opposition, made the suggestion that the court send the decree to a referee for hearings at which exhibitors could participate, and this was seconded later by Jacob Schechter, representing Allied of New York.

Judge Goddard, at several stages of the hearing, appeared interested in repeated exhibitor statements that they had not been given a hearing by Assistant Attorney General Thurman Arnold in Washington last September. The statements, apparently, were directed at the court's insistence that the Government represented the people and exhibitors in the making of the decree, and all objections should have been addressed to it by the exhibitors.

Sher attributed the exhibitor opposition to the decree to what he termed their "unwillingness to buy pictures in competition with each other."

He contended that the block-of-five provision would produce that result

(Continued on column 4)

Top Ranking Executives and Lawyers Hear Pros and Cons

Federal Judge Henry W. Goddard's courtroom yesterday was filled not only with spokesmen who claimed to represent 98 per cent of the nation's theatres, but one of the most expensive legal batteries assembled in any courtroom.

In the gathering of about 200 which packed the room to overflowing for almost six hours were: John W. Davis, J. Robert Rubin and Tyree Dillard, representing Loew's-M-G-M; Thomas D. Thacher, Austin C. Keough, Louis Phillips and A. C. Bickford, representing Paramount; Colonel William J. Donovan, O. C. Doering, William Mallard and John Howley, RKO; Joseph M. Proskauer, Robert W. Perkins and Joseph H. Hazen, Warners; Richard C. Dwight, John Caskey and Frederick Pride, 20th Century-Fox; Louis D. Frohlich, Herman Finkelstein and Irving Moross, Columbia; Edward C. Raftery, United Artists and Columbia; Adolph Schimel, Universal; and John Moroney, Interstate Circuit.

Also, Ed Kuykendall, Abram F. Myers, Max A. Cohen, Harry Brandt, R. C. Wilby, Nathan Yamins, George Aarons, Herman Levy, Milton Weisman, Jacob Schechter, David Palfreyman, Sidney Schreiber, Joseph Brodsky, James Hayes, Robert Sher, Robert Wright; J. Stephen Doyle, Seymour Simon, Henry G. Gray, E. R. Sims, Sidney B. Pfeiffer, Paul J. Ziegler, Fred Kent, Mike Rice, Roy L. Walker and Robert T. Barton.

What Exhibitor and U. S. Attorneys Told the Court

Abram Myers, Allied States' general counsel: The decree doesn't prevent violations of the anti-trust laws, it merely modifies prevailing practices; exhibitors are still subject to sales coercion. No restraint is placed on product sales of a consenting company to its affiliated theatres, upon existing film franchises nor on the integration of production and distribution with exhibition. The escape clause runs counter to the Sherman Act's purposes. It forces the exhibitors, who do not want the decree, to obtain compliance with it and to pay for it. He advocated either the Neely bill or a cancellation privilege in place of the decree.

Milton C. Weisman, New York I.T.O.A.: The decree is unworkable and perpetuates evils in the industry. Its effects on exhibitors' business may be disastrous. Approval of the decree by this court would prejudice other courts against suits brought by exhibitors in the future. Decree should be sent to a referee for public hearings, and I.T.O.A. agrees to pay costs of such hearings up to $15,000 or more. Government's decree and suit should be dismissed so that exhibitors may bring a new action.

Joseph Brodsky, attorney for Local 802, A.F.M.: Provision should be made for preventing discrimination against exhibitors who desire to use musicians but are prevented from doing so by "forced" product commitments.

William E. Sims, attorney for M. P.T.O.A.: The decree fails to protect exhibitors and the public. Asked for block booking with cancellation instead of block-of-five sales. Claimed he represented 7,700 theatres.

Paul Ziegler, attorney for P.C.C. I.T.O.: Asked that the entry of the decree be deferred until he could prepare to intervene. This being denied he asserted that he may bring an independent suit based on Government's original complaint.

L. B. Schwartz, Northwest Allied counsel, Minneapolis: The decree offers distributors protection against loss of business in exchange territories contrary to the purpose of the Sherman Act. It abandons the main purposes of the suit and further entrenches monopoly for three years with the Government's blessing. Also, the cost of arbitration will be prohibitive for most exhibitors.

Jacob Schechter, New York Allied counsel: Attacked blocks-of-five provision and loss of cancellation privilege under decree. Advocated reference of decree to a special master for public hearings. Asked inclusion in decree, if it is approved, of clause stipulating nothing in decree shall be considered a defense against suits brought by exhibitors in the future.

Sidney B. Pfeiffer, counsel for M. P.T.O. of New York: The decree means establishment of absolute monopoly in industry; accomplishes almost "vicious result" for exhibitors.

Robert T. Barton, M.P.T.O. of Virginia counsel: Attacked trade showing and block-of-five provisions. Prefers existing order to the decree. Suggested exhibitors get together with Government and work out decree changes. Exhibitors should be given cancellation or the suit should go to trial.

Roy L. Walker, representing Theatre Owners Protective Ass'n of Texas: The decree will double the cost of films and delay releases from three to six months. Will force small exhibitors into chains or buying combines. Attacked trade and arbitration showings as "useless and costly to exhibitors." Charged exhibitors weren't given a hearing in Washington and that, "if the Government had a case in the first place, it could send anyone

(Continued on page 7)

U.S. Attorneys Defend Pact Before Court

(Continued from column 1)

and that exhibitors still had their power to negotiate with distributors for a cancellation privilege, and still had their legal right to bring suits against distributors for treble damages under the anti-trust laws. Defending the decree further, he argued that it deserved a one-year trial on its merits, that it took nothing from exhibitors in the way of legal rights and, through its arbitration provisions, added one more court of redress for their grievances to those already open to them.

Follows Defense Line

Abram Myers, Allied States counsel, the first to speak, substantially made the same argument against the decree, observers felt, that was made by the major company defendants to the suit itself when it was first filed by the Government.

In opposing the trade showings and defending block booking, Myers took what observers described as an adverse view to Allied States' position at the Neely bill hearings; and it found Judge Roy L. Walker of Lampasas, Tex., operator of three theatres, opposing the decree on the ground that it would force small operators such as himself into large circuits, at least as buying and booking customers.

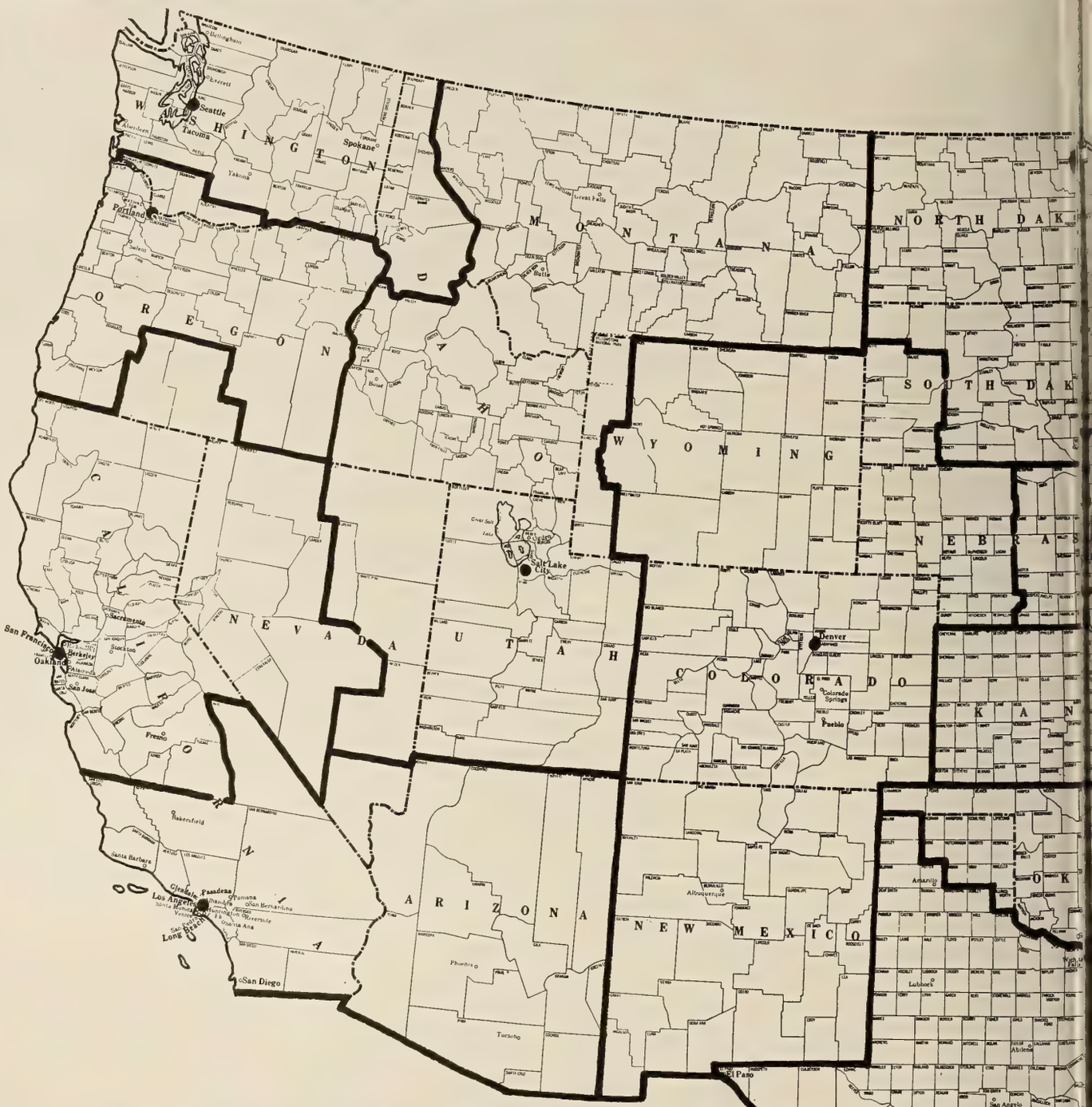
John Moroney, attorney for the Karl Hoblitzelle Texas-Interstate interests, opposed the decree on the grounds that the block-of-five provision limited theatres to a five-week product supply, under which they could not operate successfully.

No Relief, Says Frohlich

Louis D. Frohlich, counsel for Columbia, told Judge Goddard: The decree gives no relief and changes nothing but the sales method. The new selling system which it establishes would unreasonably delay releases and would require burdensome extra financing for such companies as Columbia to provide for increased production and sales costs and, thus, would increase the price of films. The decree does not meet the objectives of the Government's complaint. The court lacks jurisdiction over the decree because it usurps legislative functions and performs no judicial function. The escape clause has coercive aspects insofar as the non-consenting companies are concerned. The decree should be modified or vacated, Frohlich said.

Edward C. Raftery, counsel for United Artists, said he agreed with nothing stated in the decree's favor by Hayes except that it would decrease the number of film critics in small towns and increase them on trade papers and in large cities. He also asserted that United Artists and Universal, whom he also represents, reserved the right to object to it later and to appeal from an order approving it.

MAP OF U. S. ARBITRATIO



THIS map constitutes the new divisional setup of the motion picture industry in the United States, as drawn by the American Arbitration Association, for application under the consent decree. It is officially called "Map of Arbitration districts of the American arbitration tribunals of the motion picture industry, to be maintained and operated by the American Arbitration Association".

Local arbitration tribunals will maintain headquarters in 31 key cities. Arbitration district lines do not necessarily follow the boundaries of the old exchange territories. Arbitration districts have been formed by county lines, with consideration given to population of each area and transportation facilities to the key city.

Heavy black lines (————) indicate the district boundaries.

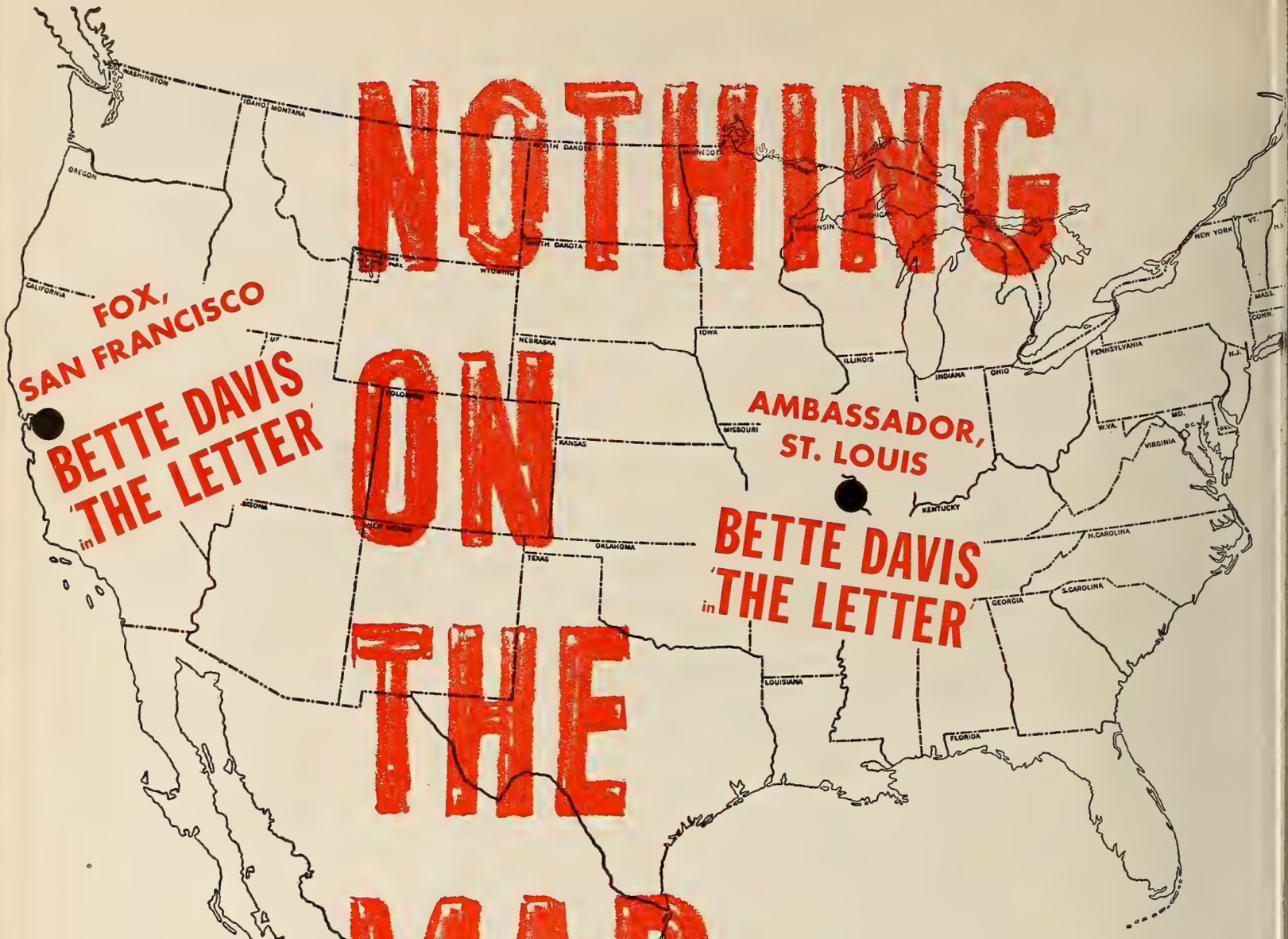
Broken lines (• — • — •) are the State borders.

Black dots (●) mark the key cities where the boards will meet.

DISTRICTS UNDER DECREE



Copyright Am. Map Co., N. Y. C., N. Y.—10170



NOTHING ON THE MAP LIKE IT!!

By W. SOMERSET MAUGHAM, with

HERBERT MARSHALL

JAMES STEPHENSON

FRIEDA INESCORT • GALE SONDERGAARD

A WM. WYLER Production

Screen Play by Howard Koch • Music by Max Steiner

Warner Bros.,

producers

'Dictator' Hits Good $20,200 Philadelphia

PHILADELPHIA, Nov. 14. — "The Great Dictator" held strong for its second week at the Aldine with $20,200. "Arise, My Love" gave the Boyd $16,300. "The Quarterback," with vaudeville, gave the Earle $20,700.

Estimated takings for the week ended Nov. 6-8:

"The Great Dictator" (U.A.)
ALDINE—(1,400) (75c-$1.14) 7 days, 2nd week. Gross: $20,200. (Average, $9,000)
"Strike Up the Band" (M-G-M)
ARCADIA — (600) (35c-46c-57c) 6 days, 2nd week, 2nd run. Gross: $3,000. (Average, $2,600)
"Arise, My Love" (Para.)
BOYD — (2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $16,300. (Average, $13,000)
"The Quarterback" (Para.)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including Louella Parsons' unit with Ilona Massey, Binnie Barnes, Brenda Joyce, Sabu, Robert Stack William Orr and Mike Frankovitch. Gross: $20,700. (Average, $14,000)
"Margie" (Univ.)
FAY'S — (2,190) (15c-29c-35c-46c-57c) 7 days with vaudeville including Gladys Fox, Eve Arden, George Beatty, Mills-King & Ray, Al Gordon and his Racketeers, Roberts & White. Gross: $6,600. (Average, $6,900)
"Dispatch from Reuters" (W.B.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $13,700. (Average, $13,000)
"They Knew What They Wanted" (RKO)
KARLTON — (1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,800. (Average, $3,000)
"Spring Parade" (Univ.)
KEITH'S — (2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,900. (Average, $4,500)
"Moon Over Burma" (Para.)
STANLEY — (3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $12,200. (Average, $14,000)
"The World in Flames" (Para.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $4,800. (Average, $4,500)

John Balaban Tells About Para. Meeting

HOLLYWOOD, Nov. 14.—John Balaban, chairman of the Paramount theatre associates, who are now visiting the company's studios, today issued a statement reading in part:

"We selected from our theatre department those men on the firing line of exhibition. Together we brought to the studio our problems along with certain ideas which we knew would clarify many situations.

"With Frank Freeman and the studio men, we thoroughly covered all angles of our business."

Last Franchise By 20th-Fox With KAO

The last film franchise prior to the consent decree provisions banning them between consenting companies after June 6, 1940, was made by 20th Century-Fox with Keith-Albee-Orpheum circuit, it was revealed at the Federal court hearing yesterday. The franchise actually was not concluded until after June 6, but since consideration was passed early in January the Government recommended that it be exempt from the decree provisions and regarded as valid by the court.

What Exhibitor and U. S. Attorneys Told the Court

(*Continued from page 3*)

to the penitentiary for signing this decree."

Fred Kent, counsel for Southeastern Theatre Owners Association and certain Paramount theatre partners: Denied affiliated theatres will benefit from decree. Said block booking is preferred to blocks-of-five sales. Charged the Attorney General has no authority to make the decree. The decree accentuates all the evils which have existed in the business and takes cancellation away from exhibitors. Asked the court to find the decree inequitable and remedy it.

John Moroney, attorney for Interstate Circuit, Dallas: Attacked the the blocks-of-five sales as ruinous for exhibitors, allowing them a product supply for only five weeks at a time, which he charged was patently inequitable.

L. M. Rice, attorney for Robb & Rowley circuit, Texas: Charged the decree was evidence of a complete failure on the part of the Government in the prosecution of its suit.

George Aarons, counsel for the U. M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware, and Herman Levy, attorney for the Conecticut M.P.T.O.A., noted objections to the decree for the record but surrendered their speaking time to Myers, with whose objections, they advised the court, they concurred.

The Government States Its Views

The only defense of the decree was made by James Hayes and Robert Sher, assistant Attorneys General. Following is a resume of their pleadings:

Hayes: The decree represents an effort to remedy evils of the business without resorting to the drastic remedy of theatre divorcement, which would bring chaos to the industry for a long time to come. Government was willing to avoid that. Problems of the industry are unlike those of other industries. Admitted the decree was not perfect, but represents a sincere effort to obtain a workable decree. The next three years will tell how good it is.

The trade showings are designed to eliminate blind buying, which exhibitors have complained of for years. It doesn't require them to see the films. Trade paper reviewers may be expected to fulfill that function. The blocks-of-five is designed to eliminate block booking, which exhibitors also have complained of for years. The blocks are not "frozen" and pictures in several blocks can be interchanged. The exhibitor still has his bargaining ability, and can buy as many blocks as he is able to negotiate for. Playing time is opened up and competition is stimulated thereby. Both exhibitors and distributors should benefit from this. Circuit buying power is curbed, forcing of shorts and newsreels prohibited; arbitration should relieve many clearance, buying and run complaints; circuit expansion is curbed, franchises cannot be disturbed where they involve contracts of those not parties to the action. Arbitration is compulsory for consenting companies but not for exhibitors. The decree is not a panacea but a help, and preferable to the chaos of divorcement. If the decree fails the Government may have no alternative but to press trial of the suit. However, he believes it will work and do good.

Sher: Answered attacks on court's jurisdiction in the matter. Said if buying in blocks of five is bad for exhibitors, buying in blocks of 50 is 10 times more so. Exhibitors still can bargain for cancellation. Exhibitors object to competition, not to the decree. Answered criticisms against arbitration and the escape clause.

'Reuters' and Show $24,000, Pittsburgh

PITTSBURGH, Nov. 14.—"A Dispatch from Reuters" and "George White's Scandals" on the stage brought the Stanley $24,000. "Arise My Love" at the Penn drew $13,000.

Estimated takings for the week ending Nov. 7:

"Kit Carson" (U. A.)
ALVIN—(1,800) (28c-39c-55c) 7 days. Gross: $5,400. (Average, $7,000)
"Spring Parade" (Univ.)
FULTON—(1,700) (28c-44c) 10 days, 2nd week. Gross: $8,100. (Average, 7 days, $5,000)
"Arise My Love" (Para.)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $13,000. (Average, $13,000)
"The Ramparts We Watch" (RKO)
RITZ—(800) (28c-44c) 7 days, Gross: $4,800. (Average, $4,000)
"Down Argentine Way" (20th-Fox)
SENATOR—(1,700) (28c-39c-55c) 7 days, 3rd week. Gross: $2,200. (Average, $3,000)
"A Dispatch from Reuter's" (W. B.)
STANLEY — (3,600) (28c-44c-66c). On stage: "George White's Scandals" with Ben Blue. 7 days. Gross: $24,000. (Average, $18,000)
"The Great Dictator" (U. A.)
WARNER—(2,000) (75c-$1.10) 7 days, 2nd week. Gross: $8,800. (Average, $5,000)

'Parade' Detroit's Best With $17,000

DETROIT, Nov. 14.—The Fox drew $17,000 with "Spring Parade" and "Meet the Wildcat." The Michigan grossed $15,000 with "Knute Rockne—All American" and "Money and the Woman."

Estimated takings for the week ending Nov. 7:

"Down Argentine Way" (20th-Fox)
"Glamour for Sale" (Col.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $5,000. (Average, $5,000)
"Lucky Partners" (RKO)
"Rangers of Fortune" (Para.)
FISHER—(2,700) (15c-50c) 7 days. Gross: $6,000. (Average, $7,000.)
"Spring Parade" (Univ.)
"Meet the Wildcat" (Univ.)
FOX—(5,000) (15c-35c-40c-55c) 7 days. Gross: $17,000. (Average, $15,000)
"Knute Rockne—All American" (W. B.)
"Money and the Woman" (W. B.)
MICHIGAN—(4,000) (15c-39c-44c-55c) 7 days. Gross: $15,000. (Average, $12,000)
"The Westerner" (U. A.)
"Third Finger Left Hand" (M-G-M)
PALMS—(2,700) (25c-39c-55c) 7 days. Gross: $7,000. (Average, $7,000)
"Escape" (M-G-M)
"Hullabaloo" (M-G-M)
UNITED ARTISTS—(2,000) (20c-39c-44c-55c) 7 days. Gross: $7,500. (Average, $10,000)

Map Film Market Into 31 Districts For Arbitration

(*Continued from page 1*)

Western Pennsylvania and half of West Virginia—Pittsburgh.

Maryland and Virginia—Washington.

North and South Carolina—Charlotte.

Florida, Georgia, Alabama and most of Tennessee—Atlanta.

Eastern half of Kentucky, Western half of West Virginia and Southern half of Ohio—Cincinnati.

Northern half of Ohio—Cleveland.

Michigan (East of the lake)—Detroit.

Most of Wisconsin and Michigan counties west of the lake—Milwaukee.

Indiana (South of South Bend) and part of Western Kentucky—Indianapolis.

Northern Illinois down to and including Springfield and a small part of Indiana—Chicago.

Southern Illinois and Eastern Missouri and a few counties in the extreme Western end of Kentucky—St. Louis.

Western Tennessee, Northern Mississippi and Arkansas—Memphis.

Southern Mississippi and Louisiana —New Orleans.

Western Missouri and Kansas—Kansas City.

All but the 17 most Western counties of Iowa—Des Moines.

Western Wisconsin, Minnesota, North Dakota, South Dakota—Minneapolis.

Western Iowa and the Eastern two-thirds of Nebraska—Omaha.

Oklahoma and a few Texas counties—Oklahoma City.

Texas—Dallas.

New Mexico, Colorado, all but a few counties of Wyoming, Western South Dakota and Western Nebraska —Denver.

Montana, Southern Idaho, a few counties of Wyoming, Utah and four Western counties in Nevada—Salt Lake City.

Arizona, one Nevada county and Southern California—Los Angeles.

Northern California, Western Nevada, and two counties of Oregon—San Francisco.

Washington and 10 counties in West Montana—Seattle.

Oregon (with the exception of two counties)—Portland.

Objections to New Complaint, Dec. 5

(*Continued from page 1*)

objections of the three non-consenting companies to the filing of the complaint against them.

Louis D. Frohlich, counsel for Columbia, told the court that the amended complaint fails to state a cause of action. He argued further that it is based upon selling practices which are not illegal and which have been in vogue in the industry as long as there has been a film business.

The five consenting companies and Keith-Albee-Orpheum, RKO theatre subsidiary, entered their answers, consisting of general denials of the charges contained in the amended complaint.

Mutual Plans S. A. Program Interchange

Mutual plans to exchange a series of programs with South American nations, it was revealed yesterday following a two-day joint meeting of the MBS board of directors and operating board, at the Hotel Ambassador. A representative will be appointed shortly to negotiate with Latin American radio and government officials. Facilities of WRUL, Boston, for short wave sending, and Press Wireless, for reception here, will probably be utilized.

Negotiations have been completed with Associated Press for the sale of the news service to a national sponsor. AP news will continue to be used over Mutual. All Mutual stations which have FM affiliates were granted permission to feed network programs to the FM outlets.

Lewis Allen Weiss, West Coast vice-president, declared that the new Don Lee studios will open shortly and will be used as a major origination point for Coast shows. A new rate card for the web was ratified and will be issued early next week. It was announced that the "American Forum of the Air" is available for sponsorship and that 115 stations have accepted the Philadelphia Orchestra.

A special meeting to discuss programs will probably be held in New York Jan. 12-15. Program officials of the various stations will have an opportunity to discuss programs with network officials.

Tucson Ready for 'Arizona' Premiere

(*Continued from page* 1)

ley Ruggles, producer and director of the film, will be master of ceremonies. Miss Arthur was guest of honor at a reception today. She will appear in a radio treatment of the film on the Kate Smith Hour over CBS tomorrow evening.

Among Columbia officials here are: Harry Cohn, Jack Cohn, Abe Montague, Rube Jackter, N. B. Spingold, Louis Weinberg, Louis Astor and Max Weisfeldt; Division Managers Phil Dunas, Carl Shalit, Sam Galanty, Jerome Safron and Los Angeles Branch Manager Wayne Ball.

Among the players expected at the premiere are Porter Hall, Warren William, Regis Toomey, Paul Harvey, Rita Hayworth, Glenn Ford, Paul Lukas, Jack Holt, John Mack Brown, Fay Wray, Guy Kibbee and Florence Rice.

75 Kansas Showmen Convene at Abilene

KANSAS CITY, Nov. 14.—About 75 exhibitors from over the state attended the meeting of the Kansas Independent Theatres Association at Abilene, Kan., today. Largely a get-acquainted affair, the convention took up little of a controversial nature. Homer F. Strowig of Abilene, president, presided.

Frank Cassil, president of the Kansas-Missouri Theatres Association, held a barbecue today at the Hoof and Horn in St. Joseph, Mo.

Local Film Critics Praise Walt Disney's 'Fantasia'

(*Continued from page* 1)

picture for the press and others in the trade was held the night before.

Leopold Stokowski attended both performances, as one of the stars of the picture, with Mickey Mouse.

The charity premiere was strictly "full dress" and attracted a full house.

What the critics, both film and music, think of the picture follows:

FILM CRITICS

Motion picture history was made. . . . Something which really dumps conventional formulas overboard and boldly reveals the scope of films for imaginative excursion . . . delightful, exciting.—Bosley Crowther, N. Y. *Times.*

Inauguration of a new art form. . . . Disney has produced a picture that seems to come from another world. It is like nothing else in heaven or on earth in its inspirational blending of color, light, motion and sound.—Kate Cameron, N. Y. *Daily News.*

A brave and beautiful work. . . . Whether completely satisfying or not, "Fantasia" marks a milestone . . . stimulating and downright bewitching. . . . If it is not always perfect, it still is a courageous and distinguished production.—Howard Barnes, N. Y. *Herald Tribune.*

A wealth of beauty and ingenuity. . . . Audible and visual wonders result. . . . A symphonic vaudeville show. . . . Hollywood's most interesting artistic and technical achievement to date.—Lee Mortimer, N. Y. *Mirror.*

A beautiful, enchanting experiment charged with dramatic dynamite. . . . You'll either like "Fantasia" without reservation or you'll dislike it with equal vigor.—William Boehnel, N. Y. *World-Telegram.*

Undeniably the most remarkable achievement in picture making since the advent of sound. As entertainment it is sheer delight, exciting, superably imaginative and breath-takingly beautifully. — Rose Pelswick, N. Y. *Journal and American.*

Complete and unique. . . . Even Walt Disney has never achieved such visual beauty as "Fantasia" presents in many of its episodes.—Eileen Creelman, N. Y. *Sun.*

Needless to say "Fantasia" must be seen by every one, except the very young who might be frightened.—Archer Winsten, N. Y. *Post.*

A wondrous new experience. . . . Its gifts are boundless. . . . There's nobody hearing and seeing it who will not come away the richer for it.—Cecelia, Ager, N. Y. *PM.*

MUSIC CRITICS

"Fantasia" is indisputable proof of the amazing and wholly creative things that can be done by the combination of animated design, color and music and a most forbidding example of what not to do with this magnificent apparatus.—Olin Downes, N. Y. *Times.*

What (Stokowski) does to dead composers' music is nobody's business. . . . As a spectacle with music, "Fantasia" is no high art job, though certain moments have charm and others humor.—Virgil Thomson, N. Y. *Herald Tribune.*

A would-be music critic bends the knee to a master music critic, Walt Disney.—James Whittaker, N. Y. *Mirror.*

The gentlemen responsible for "Fantasia" have been about as exacting as they could possibly be in their selection of a musical program . . . long evening of caviar and gruel mingled.—Pitts Sanborn, N. Y. *World-Telegram.*

A novel art form. Certain mental impressions are made upon listeners that will scarcely fit into the picture devised by Disney.—Grena Bennett, N. Y. *Journal and American.*

The Hollywood touch is the best in the evening's show. . . . When the subjects become more serious, it is hard to take Mr. Disney's pictures very seriously.—Henry W. Simon, N. Y. *PM.*

NBC Executive Asks Films' And Radio Work Together

By EDWARD GREIF

"We're all in the show business and we've got to work together," Edgar Kobak, NBC vice-president in charge of the Blue network, told Ampa members at a luncheon meeting in the Hotel Edison yesterday.

Kobak stated that films and radio are not in competition. "Your competition is for the consumer's dollar," he asserted, urging that film companies use radio to sell their product. "If a soap company can make money advertising by radio, so can you."

Kobak pointed out that the only competition between radio and the films is for the listener's time. "Not everybody who stays away from the theatre is home listening to the radio either," he added.

The head of the Blue network said radio would continue to give films free time over the air. "You get free publicity but you give us a grand show," he declared. On the other hand, he pointed out, on sustaining programs there is no certainty how many stations will take the show—sometimes as few as 20—while on sponsored time a definite number of stations is assured.

Kobak said he believed that in the future, the film industry as a whole, or an individual company, would buy time to put on a commentator who would discuss Hollywood "your way." "Both of us use plenty of publicity but neither of us uses enough advertising," he said. He urged the industry to think of radio as an advertising medium and not merely as a publicity outlet. "Use show business to advertise show business," he concluded.

Church Report Warns Against Indecent Films

(*Continued from page* 1)

moral law and subvert the foundations of Christian society."

"Evidence is accumulating that there is a partial return to practice against which the voice and authority of the Catholic Church in the United States vigorously protested in 1934," the committee warned.

"In this protest concurred multitudes not of the Catholic faith who also were deeply concerned about films which threatened the morals of the young, the family, and the nation.

"Our responsibility for the welfare of souls makes it incumbent upon us to do everything in our power to prevent the exposure of our people to the incalculable evil of the immoral cinema. We therefore register our strong protest against the increasing objectionable tendencies which lately have become manifest in films."

The report was made public tonight after the conference had devoted considerable time during its sessions to a discussion of new trends in motion pictures.

'Annie' and Tucker $8,700 Indianapolis

INDIANAPOLIS, Nov. 14. — "Tugboat Annie Sails Again" on the screen and Tommy Tucker's orchestra on the stage took $8,700 at the Lyric. "The Great Dictator" did $8,800 at higher prices at Loew's.

Estimated takings for the week ending Nov. 7-8:

"Seven Sinners" (Univ.)
"Slightly Tempted" (Univ.)
CIRCLE — (2,800) (28c-33c-44c) 7 days. Gross: $5,200. (Average, $6,000)
"They Knew What They Wanted" (RKO)
"I'm Still Alive" (RKO)
INDIANA—(3,200) (28c-33c-44c) 6 days. Gross: $4,600. (Average, 7 days, $5,500)
"The Great Dictator" (U.A.)
LOEW'S — (2,800) (75c-$1.10) 7 days. Gross: $8,800. (Average, $7,000)
"Tugboat Annie Sails Again" (W.B.)
LYRIC — (2,000) (28c-33c-44c) 7 days. Stage: Tommy Tucker and his orchestra, plus Billy Wells and The Four Fays; Bobby Gilbert; Four Sydneys; Statler Twins. Gross: $8,700. (Average, $8,000)

'Mounted' Garners $9,800 in Montreal

MONTREAL, Nov. 14.—"North West Mounted Police" continued its impressive way at Loew's with $9,800 for the second week, while "Third Finger, Left Hand" brought $8,600 in its second week at the Palace.

Estimated takings for the week ending Nov. 8:

"A Despatch From Reuters" (W. B.)
"River's End" (W. B.)
CAPITOL — (2,547) (25c-40c-55c-65c) 7 days. Gross: $8,000. (Average, $8,000)
"North West Mounted Police" (Para.)
LOEW'S—(2,800) (30c-40c-60c) 7 days, 2nd week. Gross: $9,800. (Average, $8,000)
"Diamond Frontier" (Univ.)
"I'm Nobody's Sweetheart Now" (Univ.)
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $4,300. (Average, $5,000)
"Third Finger, Left Hand" (M-G-M)
PALACE—(2,600) (25c-40c-55c-65c) 7 days, 2nd week. Gross: $8,600. (Average, $9,000)
"Haunted Honeymoon" (M-G-M)
"Dr. Kildare Goes Home" (M-G-M)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $4,400. (Average, $4,500)

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First In Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 98 NEW YORK, U. S. A., MONDAY, NOVEMBER 18, 1940 TEN CENTS

10 Television Stations Get Authorization

Howard Hughes and Para. To Build on Coast

WASHINGTON, Nov. 17.—Construction of 10 experimental television stations involving an expenditure of $3,000,000 for experimental work was authorized yesterday by the Federal Communications Commission. Six will be in Los Angeles.

The F.C.C. at the same time disclosed that on Jan. 27 it would receive a formal report on progress toward standardization from the National Television Systems Committee, representing the entire industry.

On Jan. 24, members of the commission plan to go to New York for a demonstration of latest developments in television.

The most important of the 10 stations authorized are two to be built at Los Angeles and San Francisco by Howard Hughes, whose plans call for spending $2,000,000 in experiments in tying film methods and exploitation into television through his Hughes Productions.

Other stations authorized will be built by Television Productions, Inc., a subsidiary of Paramount in Los Angeles, this being a relay station; by CBS, May Department Store, Earle C. Anthony and Le Roy's jewelers, all in Los Angeles; Metropolitan Television, Inc., New York, to operate in cooperation with two department stores; CBS, Chicago, and Kansas Agricultural College, Manhattan, Kan.

The new authorizations bring the total to nearly two-score, for construction and operation of which the industry has set aside $8,000,000, it was said.

U. A. Circuit Nets $300,633 for Year

United Artists Theatre Circuit, Inc., and subsidiaries on Friday reported net income of $300,633 for the year ended last Aug. 31. This compares with net profit of $138,811 for the year before.

Before deductions for interest, depreciation, amortization and Federal income taxes, net income was $573,631, compared with $509,134 for the

(*Continued on page* 4)

Edmund C. Grainger Named President Of Shea Circuit

Edmund C. Grainger has been named president of the Shea circuit in a rearrangement of the officers of the various Shea companies following the death some time ago of M. A. Shea, who was president. About 40 theatres are operated in the group.



E. C. Grainger

Under provision of the will left by Shea, the business is to be continued in the same manner as it has been operated under Grainger's direction since 1936, when Grainger joined the circuit as general manager. He will continue in that capacity.

The will appointed Dennis F. O'Brien, Edward C. Raftery and Grainger as co-executors and as trustees of the business, which is to be held in trust for 10 years, with directions that they operate the business. O'Brien and Raftery are attorneys.

O'Brien was named vice-president of the companies, Raftery treasurer and assistant secretary, and Thomas E. Shea secretary. Other officers are A. J. Kearney, assistant secretary, and George Goett and Preston G. Tuckerman, assistant treasurers.

The officers will serve for these companies: Shea Theatre Corp., Erie

(*Continued on page* 4)

EXHIBITOR GROUPS FORESEE 'FLOOD OF SUITS' IN DECREE

Court Will Approve Pact, Spokesmen Believe, But May Recommend Revision Opening Way to Cancellation Privilege

Approval of the consent decree by Federal Judge Henry W. Goddard will let loose "a flood of anti-trust suits" against the major companies in all sections of the country, in the belief of exhibitor organization spokesmen who are in New York to oppose the decree.

These exhibitor sources expressed the opinion that the decree would be approved. However, some of these representatives also believe that on the strength of the vigorous protests made at the hearing last Thursday, the court would refer the decree back to the Department of Justice with suggestions for its revision, possibly along lines which would open the way to a cancellation privilege.

Meanwhile, some of the attorneys in the case believe that the court's decision will be given in the next few days, probably tomorrow or Wednesday. At Thursday's hearing Judge Goddard indicated he would make his decision known in "several days."

Ed Kuykendall, M.P.T.O.A. president, who left for his Columbus, Miss., home on Saturday, gave no indication of what decision his organization expected, but stated that if the decree was approved the M.P.T.O.A. would carry on the fight against it "to the last ditch." He declined to amplify this statement and refused to say whether, in that case, the M.P.T.O.A. was prepared to initiate an anti-trust suit of its own.

"I don't care to predict what Judge Goddard will do," Kuykendall said, "but I would like to say that we

(*Continued on page* 4)

Martin Beck Rites Will Be Held Today

Funeral services for Martin Beck, 73, pioneer theatre executive, will be held at 2 P.M. today at Campbell's Funeral Parlor, 81st St. and Madison Ave. Beck died early Saturday at Mt. Sinai Hospital following an operation Thursday for stomach ulcers. Burial will be at Salem Fields, L. I.

Beck is survived by his widow, Mrs. Louise Beck, and two daughters, Mrs. Helen Ladin and Mrs. Josephine Ransohoff.

A native of Czechoslovakia, Beck studied dramatics in Vienna and came to America for his first job as an actor in a German stock company in

(*Continued on page* 4)

NBC and CBS Briefs Attack FCC Report on Web Control

WASHINGTON, Nov. 17.—Findings of the FCC Monopoly Committee in its report on chain broadcasting were attacked today in briefs filed with the Federal Communications Commission by CBS and NBC as time for the filing of protests expired.

In the NBC brief, it was indicated, the network took exception to all charges by the committee of an "unhealthy" condition in the broadcasting industry through the controls exercised by the chains.

Both briefs charged that the committee's adverse findings in the main have been unsupported by evidence and in many instances the conclusions are contrary to the record.

"The serious errors of fact reveal an ignorance of the broadcasting business plus a zeal for reform, unrelated to the actual operation of radio," the CBS brief said.

Both networks contended that the position of the networks is necessary and desirable, and that the ownership of key stations is essential to chain operation.

"The evidence in the record clearly demonstrates the absence of monopoly in broadcasting or of the concentration of control of radio stations," CBS asserted, pointing out that the networks have enabled the individual stations to offer the world's finest programs and a variety which the operators could not afford other than through a cooperative effort.

Eight Reviews Today

Eight Hollywood and New York reviews of new films appear in this issue: "Lady With Red Hair," "Blackout," "Girls Under 21"—Page 4; "Bitter Sweet," "A Night at Earl Carroll's," "The Lone Wolf Keeps a Date"—Page 5; "Texas Terrors," "The Merry Wives"—Page 6.

Thanksgiving

Allentown, Pa., Nov. 17.—In view of the successful vote for Sunday films here, all telephone calls to the local houses are being answered thus: "Good evening. Thank you for voting for Sunday movies. This is the ——— Theatre."

Canada Bans Films Of France, Colonies

TORONTO, Nov. 17.—Under a decree of the Canadian Government, all further imports from France and certain French colonies have been prohibited, in accordance with regulations of an Order-in-Council which bars trading with the enemy.

This application of the ban for the remainder of the war will have the effect of putting an end to the importation of French-language pictures from France and the specified possessions, which include Andorra, Monaco, the French zone of Morocco, Corsica, Algeria and Tunisia. No distinction has been made between the occupied and unoccupied portions of France in Europe and accordingly, no French films will be seen in Canada after the present supply has been released. There is no restriction on product which already has been received in the Dominion, the quantity of which is said to be sufficient to meet the needs of French-Canadians for some time to come, prints having been rushed from Europe ahead of the advancing Nazis.

Ojerholm Patents Printing Process

LONDON, Nov. 17.—John Ojerholm, head of the Olympic Laboratories here, has patented a new film printing process which is said to produce revolutionary results.

It is being used for the first time on the picture, "The Quiet Wedding." Observers declare that the process gives complete and 100 per cent definition to all shadows. The process treats the whole film after exposure but before immersion in the developer and is said to add nothing to stock or printing costs.

SETOA Convention In Atlanta Friday

ATLANTA, Nov. 17.—The Southeastern Theatre Owners Association will hold a convention here next Friday. Principal speaker will be Ed Kuykendall, president of the M. P. T. O. A., who will discuss the consent decree and other current issues.

Disney to Produce "Wonderland" Film

Walt Disney told the New York Federation of Music Clubs on Friday that he plans to make a production of Lewis Carroll's "Alice in Wonderland," and has asked Deems Taylor, composer and music critic, to compose a score for such a picture.

Personal Mention

BARNEY BALABAN, Paramount president, and STANTON GRIFFIS, chairman of the executive committee, are expected from the Coast today.

•

ROBERT M. GILLHAM, Paramount advertising and publicity director, has returned from Florida.

•

LOUIS SCHINE of Gloversville was in town late last week and visited with A-MIKE VOGEL at Managers' Round Table.

•

JULES SELTZER is in Philadelphia for the personal appearance of Laurel and Hardy.

•

IVOR DAUM, manager of the Strand, Allentown, Pa., is recovering following an operation.

•

JACQUELYN MAY METZGER, daughter of LOU B. METZGER, California theatre operator, and MRS. METZGER, will be married Dec. 17 at the Hillcrest Country Club, Los Angeles, to BURTON L. KRAMER.

LYNN FARNOL, United Artists advertising and publicity director, arrived from the Coast yesterday.

•

PEGGY ANN KENT, daughter of SIDNEY R. KENT, president of 20th Century-Fox, will be married in Hollywood tomorrow to DON WILSON, radio announcer.

•

KENNETH MACKENNA, M-G-M story editor, left for the studio Friday after a week in the East.

•

MITCHELL FRANKLIN, manager of the Mayfair, St. John, N. B., has been elected a director of the local Kiwanis Club.

•

THOMAS GROGAN of the State, Manchester, Conn., is handling the Lenox in Hartford while THOMAS MALLER, manager, is recuperating in Florida from an illness.

•

JEAN STONE, cashier at the Colonial, Canaan, Conn., has returned to her post after a cruise to Havana.

No Action Taken by Equity on Red Status

No action was taken Friday at a special meeting of the Actors Equity council on a proposed amendment to the constitution preventing Communists, Nazis and Fascist members or their sympathizers from holding office or being employed by the union.

The entire time of the meeting was occupied with simplification of election procedure. The members of the council were not in complete accord with the recommendations of the election committee and referred the matter back for further study.

Studio Wage-Hours Hearing Next Month

HOLLYWOOD, Nov. 17.—E. M. Cocking, Federal wage and hours administrator for this region, plans to begin hearings in December on reclassification of workers in the studios. The hearings will follow submission of his report on a series of meetings and personal investigations. On Friday he concluded three days of conferences with committees of the 10 I. A. T. S. E. locals and this week will visit the studios to view operations.

2,000 Due at W.B. Dance

More than 2,000 persons are expected at the annual Thanksgiving dinner and dance of the Warner Club next Saturday at the Hotel Commodore. Bob Chester's orchestra will provide the music.

Legion Approves Eight New Pictures

The National Legion of Decency for the current week has approved eight new pictures, four for general patronage and four for adults. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Friendly Neighbors," "Remedy for Riches," "Sandy Gets Her Man," "Trail Blazers." Class A-2, Unobjectionable for Adults—"Bitter Sweet," "Melody and Moonlight," "Murder Over New York," "One Night in the Tropics."

'Ecstasy' Gets N. Y. Exhibition License

ALBANY, Nov. 17.—The State Board of Regents yesterday approved an exhibition license for revised versions of "Ecstasy" and "Fools of Desire," which had been rejected by the State Motion Picture Division. "Ecstasy," Czech film, had been in the courts for the last five years. The appellant was Eureka Productions. "Fools of Desire" had been on appeal by Syndicate Exchanges, Inc., New York. Both films had been screened by Regents Wallin, Ryan and Bell, who suggested eliminations before rescreening.

Saints to Induct Berlin

Irving Berlin will be inducted as "fall guy" by the Dexter Fellows Tent of the Circus Saints and Sinners Club of America at a luncheon at the Hotel Astor on Nov. 27.

Picture's Score Spells Death

Mexico City, Nov. 17.

IT appears as though death is the fate of composers who accept the assignment to write the music for the new Mexican picture, "Ay, Que Tiempos, Señor Don Simon" ("What Days Those Were, Don Simon"). Manuel Castro Padilla, who had several successful songs to his credit, died a few days after he got the assignment. The next writer, Silvestre Revueltas, died when he had just started his score. Raul Lavista, young writer now doing the music, says he is not superstitious and does not believe the Grim Reaper has jinxed the music end of the film.

Romance Note

Miami, Nov. 17

THE Dade, new Paramount theatre to open Dec. 15, will feature 26 love seats, in which two persons may sit together. The new theatre seats 985 in all.

Tucson Ends 'Arizona' Opening Celebration

TUCSON, Nov. 17.—The week-long celebration in conjunction with the premiere here Friday night of Columbia's "Arizona" wound up today, with Eastern and Hollywood delegations departing.

Jean Arthur, star of the film, headed a large Hollywood group which held the spotlight. Arizona officials and dignitaries of neighboring states, a large representation of newspaper and magazine writers, and Columbia home office and studio officials were in the premiere crowd, which gave the city a carnival atmosphere.

"Old Tucson," the set used in filming the picture, was thrown open to the gay crowds. Indians were encamped along the main streets and a Mexican Fiesta ran for 24 hours in Court House Square. Parades, special radio broadcasts and impromptu celebrations were highlights of premiere night.

Name Committee for Philadelphia Drive

PHILADELPHIA, Nov. 17.—The committee of the Theatrical and Radio Division for the Allied Jewish Appeal here is made up entirely of the industry members, including William Goldman, Lewen Pizor, Jack Beresin, David Weshner, Jay Emanuel, Ben Amsterdam, Abe Sablosky, David Barrist, David Milgram, Al Blofson, Sam Gross, Ben Fertel, Morris Wax, Sidney Samuelson, Harry Ball, Lou Krouse, Sam Schwartz, Edgar Moss and Jacob B. Fox.

Dr. Leon Levy, WCAU president, is chairman of the committee with Benedict Gimbel, Jr., WIP president, in charge of the radio group. An industry dinner for the drive will be held tomorrow at the Warwick Hotel.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

THE BACKLOG OF QUALITY

TODAY—next week—next year—you know you can depend on each Eastman negative film to do its special work surpassingly well. This unvarying reliability—a true backlog of quality—keeps these films strongly entrenched as the favorites of the industry. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*
Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

Exhibitors See 'Flood of Suits' In U. S. Decree

(*Continued from page* 1)

were given a full and comprehensive hearing in court, and for that we are grateful to Judge Goddard. If the decision is against exhibitors we will not give up the fight. Vital trade principles are involved and we will fight for them to the last."

The exhibitor representatives, on the whole, were of the opinion that their case had been presented fully to Judge Goddard and that the volume and unanimity of opposition could not be without effect on the court.

Although the opposition which was shown by exhibitor representatives at the court hearing to the present form of the decree indicated that there was a strong presumption, at least, among them that the settlement pact was sponsored by the companies, this is not so, according to authoritative spokesmen for the defendants. The fact is, they state, that the decree is something to which the companies have been objecting right along and that it is the brainchild of the Government, not of the companies.

The block-of-five provision of the decree is an outgrowth of the original "appeasement" report sponsored by the U. S. Department of Commerce, and it is a creation, as it stands mostly now, of the Department of Justice lawyers.

Since the U. S. Attorney General's department and the lawyers for the defendants had agreed to the pact, Judge Goddard might have proceeded immediately to approve it. That is the expert legal view of the situation, and the fact that he referred the various private communications he received in opposition to the decree to the Department of Justice, is felt to be an indication that he regards the Department not only as the representative of the exhibitors in the formulation of the decree, but also as being fully acquainted with exhibitors' views toward the document.

U. A. Circuit Nets $300,633 for Year

(*Continued from page* 1)

previous 12 months. This includes $182,133 paid in dividends by affiliated companies less than 100 per cent owned and $108,035 of undistributed net income of such affiliated companies.

The company's cash position improved during the year, with $591,806 cash on Aug. 31, which compares with $375,713 on Aug. 31, 1939.

United Artists Theatre Circuit, of which Joseph M. Schenck is chairman of the board and president, owns or is interested in close to 300 theatres in various sections of the country, which are operated by other companies. Among affiliated companies are Metropolitan Playhouses, New York, and Robb & Rowley United, Inc., of Texas, and Skouras.

Annual meeting of the company's stockholders will be held next Monday in Baltimore.

Feature Reviews

"Lady With Red Hair"

(*Warners*)

Hollywood, Nov. 17.

THE entwining of the lives and individualities of two of the American stage's most extraordinary figures, Mrs. Leslie Carter and David Belasco, is told in "Lady With Red Hair." It is a story of the stage, of heartbreak, mother love, and the intolerance with which ladies who trod the boards were greeted in the Nineties.

Miriam Hopkins, as Mrs. Carter, "the lady with red hair," and Claude Rains, as producer Belasco, overshadow their support, which consists of Richard Ainley, Laura Hope Crews, Helen Westley, John Litel, Mona Barrie, Victor Jory, Cecil Kellaway, Fritz Leiber, Johnnie Russell and Selmer Jackson.

The story starts with the sensational Carter divorce trial in Chicago, following which Mrs. Carter determined to "make a lot of money quickly" in order to carry on the fight for her son. She influences Belasco to star her, a neophyte, and he does. The first play is a failure, the second a success, but she in turn loses the affection of her son. She throws herself into her work, with Belasco doing a Svengali to her Trilby. The producer breaks with her upon her marriage to Lou Payne, and she becomes bankrupt trying to be a producer on her own. At the climax, she and Belasco are reconciled, his help saving her from complete ruin.

Kurt Bernhardt directed from a screenplay by Charles Kenyon and Milton Krims. N. Brewster Morse and Norbert Faulkner wrote the original story based on the memoirs of the actress. Edmund Grainger produced, with the real Lou Payne as technical advisor.

Running time, 80 minutes. "G."* VANCE KING

"Blackout"

(*British National-U. A.*)

IN a setting of England at war, British National has woven an excellent piece of solid entertainment, containing in good measure those ingredients which time and again have proved themselves the essence of box-office source material. Production values are high.

As produced by John Corfield and directed by Michael Powell from an original story and screenplay by Emeric Pressburger and a scenario by Powell, the film has captured with great skill an atmosphere of suspense in an espionage-laden story. No little of the credit for the effectiveness of the dramatic and actively-paced story must go to Conrad Veidt, his usual capable self; Valerie Hobson; Hay Petrie, who is splendid in a dual role; Esmond Knight and Raymond Lovell.

The so-called "English" accent is so minimized as to present no possible obstacle to American audience enjoyment of the film. It tells of a Danish steamer, taken into a British Contraband Control port, despite the objection of Veidt, the captain, and the manner in which Miss Hobson, who is shown to be a British secret agent, leaves the ship for London, trailed by the annoyed Veidt.

Their adventures with German agents from that point in the short space of one night, make for exciting entertainment for any audience.

Running time, 80 minutes. "G."* CHARLES S. AARONSON

"Girls Under 21"

(*Columbia*)

Since the title characters in this differ from the "Dead End Kids" in little more than gender, the film probably will be a strong attraction to admirers of the latter group and suggests exploitation effort in that direction. Tina Thayer, Roberta Smith and Lois Derner and the others of the group are virtually unknown but they give effective performances.

Bruce Cabot, Paul Kelly and Rochelle Hudson are the principal and more experienced players in the film. Mack Nosseck directed.

The locale is the poor section of a big city. Cabot is a gangster and Miss Hudson's former companion. Kelly is seen as a school teacher and exponent of the honor system which, although threatened, is commended by the school board when the girls abide by it and confess a theft. The girls are excused, and Miss Hudson and Kelly fall in love .

Running time, 64 mins. "G."*

**"G" denotes general classification.*

Engel RKO Salesman

PHILADELPHIA, Nov. 17.—Jack Engel, former Universal salesman, has joined RKO and will cover New Jersey and Wilmington territories.

Haas in Krueger Post

CHICAGO, Nov. 17.—Jay Haas of the Paramount studio is en route here to assume the position vacated recently by Carl Krueger as Midwest exploitation man.

Edmund C. Grainger Named President Of Shea Circuit

(*Continued from page* 1)

Amusement Co., Shea Chain, Inc., the Zanesville Theatres, Inc., Jamestown Amusement Co., Shea Holding Co., State Theatres, Inc., State Operating Co., Colonial Theatres Co., Ashtabula Theatres Co., and the Fulton Shea Theatre Co.

In addition to the above companies, the position which M. A. Shea held on the board of directors of the following affiliated companies is being filled by Grainger: Washington Theatres Co., Midland Theatres Co., Newark Amusement Co., United Shea Theatre Corp., Amherst Theatres, Inc., Tremont Theatres, Inc., and New Hampshire Amusement Co.

Theatres in the Shea circuit include: Shea's and Roosevelt, Jamestown, N. Y.; Shea's Grand and Lyceum, Bradford, Pa.; Shea's, Erie, Pa.; Fulton, Pittsburgh; Orpheum, McKees Rocks, Pa.; Park, Westfield, Mass.; Amherst, Amherst, Mass.; State, Palace, Strand, Crown, Vitaphone, Manchester, N. H.; State and Tremont, Nashua, N. H.; Colonial, Akron; Palace, State and Bula, Ashtabula, O.; State, Conneaut, O.; State and Ohio, Cambridge, O.; Bexley, State and Nugent, Dover, O.; Shea's, Geneva, O.; Lyric, Lancaster, O.; Midland and Auditorium, Newark, O.; Ohio and Strand, Marietta, O.; Quaker and Union Opera House, New Philadelphia, O.; Park and Paramount, Youngstown, O., and Imperial, Liberty, Quimby Grand and Weller, Zanesville, O.

In addition, the Shea circuit is associated with the Warner circuit in the Warner, Youngstown, the Strand, Akron, and the Palace and Winter Garden, Jamestown, N. Y. These are in joint operation with the Shea Colonial, Akron, the Shea Park and Paramount, Youngstown, and the Shea in Jamestown.

Martin Beck Rites Will Be Held Today

(*Continued from page* 1)

New York. He soon entered vaudeville production and in 1903 began operating the first Orpheum Theatre in San Francisco. This was the beginning of the Orpheum Circuit, which later became the Western wing of the RKO circuit.

In 1932 he acted for RKO in making a survey of its theatre interests. He also was managing director of RKO vaudeville and an advisor in inaugurating the shows at the Center Theatre. He resigned from RKO in 1933 and built the Martin Beck Theatre, legitimate playhouse, here.

W. B. Plan Picture on Theodore Roosevelt

HOLLYWOOD, Nov. 17.—Warners has assigned Gordon Hollingshead to write a biographical scenario on the family life of Theodore Roosevelt, under the title, "Teddy and the Boys."

Sidney Blackmer, who played Roosevelt in a Warner short subject last year, will play the title role in the feature, according to the studio.

Bureau Head Backs Films for Children

The belief held in some quarters concerning the influence of motion pictures on juvenile delinquency is greatly exaggerated, Judge Stephen S. Jackson, director of the Bureau for the Prevention of Juvenile Delinquency of New York, told the 17th annual conference of the National Board of Review of Motion Pictures on Friday.

The conference concluded Saturday with the annual luncheon at the Hotel Pennsylvania.

"The Movies as Entertainment and Education" was the topic of a forum Friday morning, at which Dr. Francis D. Tyson of the University of Pittsburgh presided. The program was: "Children and the Movies," Mrs. Ralph T. Edwards of *Parents Magazine;* "Government Departmental Films," Oliver T. Griswold, Rural Electrification Administration, and "Styles Are Serious," Vyvyan Donner of Movietone News.

Dr. Walter W. Pettit, director of the New York School of Social Work, was chairman of Friday afternoon's session. The program included: "Fashions Can Be Funny," Ilka Chase; "Adult Education Through Movies," Mark Starr, educational director, Ladies Garment Workers Union; "Composing for the Movies," by Virgil Thomson, music critic, New York *Herald Tribune,* and "The Audience Discovers the Director," Margaret Thorp. The young reviewers groups met Saturday morning.

Canada Produced 25 Films in Year

TORONTO, Nov. 17.—The report of the Canadian Department of Trade and Commerce for the last fiscal year indicates that the Canadian Government Motion Picture Bureau produced 25 official films during the 12 months, of which 15 were sound pictures. Through the National Film Board, of which John Grierson is commissioner, 6,662 prints were in circulation with 3,495 copies in use in the United States, 1,500 in the theatres of the Dominion and 530 in the United Kingdom, in spite of air raids.

The chief work of the bureau in 1939-'40 was the completion of the film record of the tour of the British monarchs across the North American Continent and return, for which 80,000 feet of standard width film was made and 15,000 feet of 16mm. pictures, the latter being in natural color. The bureau is now largely engaged in the production of pictures dealing with Canada's war effort.

Theatre Man Dies

CHESTER BASIN, N. S., Nov. 17.—Carl Murphy, 29, of the staff of Loew's Theatre, Montreal, died at his home here after an illness of six weeks. Taken ill at Montreal, he had come home for treatment. Surviving are his mother and four brothers and one sister.

Coast SMPE Session

HOLLYWOOD, Nov. 17.—Pacific Coast Section of the S.M.P.E. will meet tomorrow to hear J. H. Washburn, chief photographer of Lockheed Aircraft Corp., who will speak on the application of films to aircraft manufacture.

Hollywood Reviews

"Bitter Sweet"

(M-G-M)

Hollywood, Nov. 17.

THE airwaves will again be featuring "I'll See You Again," "Dear Little Cafe" and "Zigeuner," judging by audience reaction to the Noel Coward music from "Bitter Sweet" at the picture's preview.

Sung by Jeanette MacDonald and Nelson Eddy, both as duets and individually, the songs are enhanced by the film's photography, done in color, by brilliant production values in the form of settings and costuming, and by support from a well selected cast. Seen in addition to the principals are George Sanders, Felix Bressart, Lynn Carver, Ian Hunter, Edward Ashley, Diana Lewis, Fay Holden, Sig Rumann and Herman Bing.

Departing from the original Coward play and the earlier screen version, this Lesser Samuels screenplay makes no use of flashbacks in recounting the story of an English girl who undergoes poverty and privation in the Vienna of the bright 1890's for love of her husband, formerly her music teacher. Their reward comes to her alone, when he is killed in a duel just as his operetta was to receive a hearing.

Produced by Victor Saville and directed by W. S. Van Dyke II, the film's outstanding sequence presents a rendition of "Zigeuner," featuring Miss MacDonald and a mixed chorus, plus dancers with both backgrounds and costumes done completely in white and tones of sepia. Adeptly woven into the fabric of the story, the musical direction was handled by Herbert Stothart.

Audience opinion after the preview was that neither of the principals had ever appeared to better advantage.

Running time, 95 minutes. "G."* W. S.

"A Night at Earl Carroll's"

(Paramount)

HOLLYWOOD, Nov. 17.—Paramount's "A Night at Earl Carroll's" is a combination of melodrama and musical, with the former giving reason for the latter and vice versa. It is highly exploitable material, its action taking place almost entirely in the world famous Earl Carroll's Theatre Restaurant in Hollywood. Carroll, who produced the film, also appears as himself in the cast, which is featured by the same type of feminine beauty for which his stage productions are noted.

Ken Murray, Rose Hobart, Blanche Stewart and Elvia Allman—the "Brenda" and "Cobina" of Bob Hope's radio program—J. Carrol Naish, Russell Hicks and others constitute the cast.

Kurt Neumann directed the original screenplay by Lynn Starling, who turned out a most suitable framework for exhibiting the talents of the cast, the musical ensembles, and taking the audience into the atmosphere of Earl Carroll's.

The story opens with the mayor of Hollywood giving a banquet for chiefs of other Southern California municipalities at Carroll's. Naish, a gambler who is being driven out of business by the Hollywood mayor's cleanup drive, kidnaps Carroll and his show, as they play a benefit in another part of the city, in an attempt to embarrass the mayor. Miss Hobart, as Carroll's aide, and Murray as his press agent, make up an impromptu show to keep things moving until Carroll is rescued and the criminals captured.

Running time, 62 minutes. "G."* VANCE KING

"The Lone Wolf Keeps a Date"

(Columbia)

HOLLYWOOD, Nov. 17.—Fourth in the "Lone Wolf" series at Columbia, "The Lone Wolf Keeps a Date" has as its locale Miami, its plot the efforts to thwart a kidnaping involving $100,000 ransom. Warren William again plays the title role, with Eric Blore as his valet. Thurston Hall as the police inspector, with whom "The Lone Wolf" is constantly jousting, is another cast regular. Frances Robinson and Bruce Bennett supply the slight romantic interest, and Jed Prouty, Fred Kelsey, Don Beddoe, Lester Matthews, Edward Gargan, Eddie Laughton and Mary Servoss enact the other characters.

Sidney Salkow directed from a story written by himself and Earl Felton. It is based upon the characters created by Louis Joseph Vance.

Salkow's direction neatly paces the action, suspense and comedy. William prevents the kidnaping of a young woman, but in the scuffle the would-be abductors steal his valuable stamp collection. He sets out to regain the stamps, stumbles on a murder plot linked with a kidnaping, and manages to get both the police and the criminals on his trail.

Running time, 67 minutes. "G."* VANCE KING

**"G" denotes general classification.*

'Voyage' Gets Nice $6,000, Los Angeles

LOS ANGELES, Nov. 17.—"North West Mounted Police" in its second week at the Paramount, with a stage show, grossed a strong $24,000. "The Long Voyage Home" opened well at the 4 Star with $6,000.

Estimated takings for the week ending Nov. 13:

"Mark of Zorro" (20th-Fox)
"Young People" (20th-Fox)
CHINESE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $12,000. (Average, $12,500)
"Thief of Bagdad" (U.A.)
CARTHAY CIRCLE — (1,518) (55c-$1.65) 7 days, 4th week. Gross: $5,100. (Average, $17,000)
"The Long Voyage Home" (U.A.)
4 STAR—(900) (55c-75c) 7 days. Gross: $6,000. (Average, $3,250)
"The Howards of Virginia" (Col.)
"The Lady in Question" (Col.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 3 days, 2nd week. Gross: $4,600. (Average, $6,500)
"Mark of Zorro" (20th-Fox)
"Young People" (20th-Fox)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $16,000. (Average, $14,000)
"The Howards of Virginia" (Col.)
"The Lady in Question" (Col.)
PANTAGES — (3,000) (33c-44c-55c-75c) 3 days, 2nd week. Gross: $4,000. (Average, $7,000)
"North West Mounted Police" (Para.)
PARAMOUNT — (3,595) (44c-55c-75c) 7 days, 2nd week. Stage: Fanchon & Marco "On Parade"; Rube Wolf & Orchestra. Gross: $24,000. (Average, $18,000)
"Tugboat Annie Sails Again" (W.B.)
"Hit Parade of 1941" (Rep.)
WARNER BROS. (HOLLYWOOD)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $8,100. (Average, $14,000)
"Tugboat Annie Sails Again" (W.B.)
"Hit Parade of 1941" (Rep.)
WARNER BROS. (DOWNTOWN) — (3,400) (33c-44c-55c-75c) 7 days. Gross: $9,300. (Average, $12,000)

'Arise' with $7,000 Good in New Haven

NEW HAVEN, Nov. 17.—"Arise, My Love" and "Cherokee Strip" took $7,000 at the Paramount. "The Mark of Zorro" and "Haunted Honeymoon" at the Loew-Poli grossed $9,000. Second week of "The Great Dictator" at the College took $3,800.

Estimated takings for the week ending Nov. 14:

"The Great Dictator" (U.A.)
COLLEGE—(1,499) (28c-75c-$1.10) 7 days. 2nd week. Gross: $3,800. (Averages, $2,700)
"The Mark of Zorro" (20th-Fox)
"Haunted Honeymoon" (M-G-M)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $9,000. (Average, $8,000)
"Arise, My Love" (Para.)
"Cherokee Strip" (Para.)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $7,000. (Average, $4,000)
"Seven Sinners" (Univ.)
"Meet the Wildcat" (Univ.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $5,200. (Average, $5,000)

Loew's Boston Net $270,518 for Year

Loew's Boston Theatres Co. has reported a net income of $270,518 for the year ending Aug. 31 or $1.74 for each of 155,249 capital shares. This compares with $258,172 or $1.66 per share in the preceding fiscal year.

Consolidated Dividend

The board of directors of Consolidated Film Industries on Friday declared a dividend of 25 cents per share on the company's preferred stock, payable on Dec. 27 to stockholders of record Dec. 5.

Excuse It, Please

Philadelphia, Nov. 17

CITIZENS of Bryn Athyn Borough in adjoining Montgomery County went to the polls Election Day and voted 266 to 68 in favor of Sunday films—but it didn't mean anything. Later on the Montgomery County Election Board woke up to the fact that the referendum had been placed on the ballot in error. More than that, there's no theatre in the borough.

Kansas Unit Plans Regional Sessions

KANSAS CITY, Nov. 17.—The Kansas Independent Theatres Association, which met at Abilene, Kan., last week, plans to hold a series of three regional meetings over the state early in December, according to Homer F. Strowig, president.

These will be devoted largely to obtaining a strong membership before the Kansas legislature meets in January. Another state meeting is planned for February or March.

Drury Lane Is Bombed

News dispatches reaching here on Saturday indicated that the Drury Lane Theatre in London, probably the oldest theatre in the world, and long famous as the home of English legitimate stage presentations, was almost completely wrecked last week during a Nazi air raid.

Feature Reviews

"Texas Terrors"

(*Republic*)

Don "Red" Barry scores here, giving a restrained performance in a role that might easily have been overplayed, that of a young lawyer determined to avenge the murder of his parents years before.

The supporting players are good, too, notable among them Eddy Waller, a judge and a confederate of a group of Western racketeers, and Al St. John, a miner intimidated by the group. Also prominent in the story are Julie Duncan and Arthur Loft.

The racketeers hold a monopoly on all supplies and miners are subjected to stiff prices. Barry corrects the situation and at the same time settles with those responsible for the murder of his parents. George Sherman acted as director and associate producer.

Running time, 57 minutes. "G."*

*"G" denotes general classification.

"The Merry Wives"

(*A. B. Film—Lloyd*)

After considerable trouble with the censors, "The Merry Wives" has finally been released, still a bawdy farce about a seducer who captures all the female hearts, married and otherwise, of an entire Czecho-Slovakian village. Produced in Czecho-Slovakia before the war, the dialogue is in the Czech language with English titles.

The cast will be new to American audiences, but a number of the performances are first rate. The story leans heavily on risque situations.

Zdenek Stepanek, as Count Dachisky, returns to his native village to free the country from foreigners who are robbing the treasury. He has a series of escapades with the town's aldermen and their wives but finally succeeds of disposing of the invader. Adina Mandlova, Ladislav Pesek, Hana Vitova and Bedrich Karen all perform excellently.

Running time, 85 minutes. "A."* EDWARD GREIF

*"A" denotes adult classification.

WE'LL BET TEN TO ONE

THAT

You Will Have the Time of Your Life on the Occasion of

THE TWENTY-FIRST ANNUAL CHARITY

DINNER AND DANCE

OF

MOTION PICTURE ASSOCIATES

AT

HOTEL ASTOR

WEDNESDAY EVENING (THANKSGIVING EVE)

NOVEMBER 20th, 1940

Here Are Some Definite Reasons Why You Cannot Afford To Miss This Affair

1. Music by BOB CHESTER & HIS ORCHESTRA
2. HAVANA RHUMBA BAND direct from Havana
3. RADIO ROGUES (Stars of Hellzapoppin)
4. HENNY YOUNGMAN (Master of Ceremonies)
5. BEN YOOST VARSITY EIGHT (Now Appearing at Roxy Theatre)
6. JEANNETTE HACKETT GIRLS (Nine Glamorous Girls Direct from World's Fair)

AND BOY OH BOY WHAT A DINNER

MAKE RESERVATIONS NOW: **TICKETS $7.50 Per Person**

Irving Landes, *Ticket Chairman*
345 West 44th St.
c/o Twentieth Century-Fox, N. Y. C.

MAKE CHECKS PAYABLE TO MOTION PICTURE ASSOCIATES

ENTIRE PROCEEDS TO MOTION PICTURE ASSOCIATES CHARITY FUND

Refugee Composers Sue for Ascap Fund

Seeking to obtain funds from Ascap allegedly due to A. K. M., European composers' organization, four refugee composers have filed suit against Ascap in N. Y. Supreme Court. Leo Ascher, Hermann Leopoldi, Franz Sabotka and Ladislas Sucs, the plaintiffs, want about $58,000 which they claim is due from Ascap to A. K. M., against which they have obtained judgment for $99,658.

South American Trip Planned by Leonard

HOLLYWOOD, Nov. 17.—Robert Z. Leonard plans a combination business and vacation trip to South America. He will visit Buenos Aires, where he is expected to be met by a camera crew to take some location shots. The director will start on his trip, it is said, as soon as "Ziegfeld Girl," his new M-G-M picture, is ready for release.

Name Club Directors

PHILADELPHIA, Nov. 17.—The local Variety Club board of directors will meet tomorrow evening to elect the officers for the next year, following the election of directors. They include: Dr. Leon Levy, Samuel Stiefel, Don Monroe, Earl W. Sweigert, Sam Schwartz, Charles Goodwin, Ted E. Schlanger, William McAvoy, Henry Friedman, David Supowitz and Hillary Brown.

Short Subject Reviews

"Mysterious Doctor Satan"

(*Republic*)

If the first of 15 episodes is any indication, "Mysterious Doctor Satan" will probably prove a strong magnet to those who like terror on the screen. The melodrama has a splendid cast headed by Eduardo Ciannelli, the title character, and Robert Wilcox, his chief adversary. The story concerns Ciannelli's attempts to obtain a remote control system with which he hopes to gain power. The first chapter runs 31 minutes and subsequent ones about 20 minutes.

"River Thames—Yesterday"

(*Paramount*)

First of a new series, known as "Fascinating Journeys," this subject, in beautifully soft colortones, takes the screen audience for a trip down the River Thames, from its source high in the country down to the sea. The attractive banks, the quiet and contentment of the countryside are at sharp variance with the conditions we know exist there today. Running time, 10 mins.

"The Homeless Flea"

(*M-G-M*)

The effort of a flea to find a home is the concern of this Rudolph Ising cartoon in color. The insect first locates and then establishes residence on a dog, annoying the latter. The chase, capture and disposal of the flea follow. The behavior of the dog is responsible for some laughs. Running time, 8 mins.

"Gallopin' Gals"

(*M-G-M*)

The "Gals" in this cartoon are fillies seen gossiping in their stalls just before a big race. The conversation is interrupted with the call to the post and then the race is run. The race and a description by an excited announcer are clever. The subject on the whole is unique and good for many laughs. Running time, 8 mins.

"Sportsman's Partner"

(*RKO*)

The training of a cocker spaniel for bird hunting and finally the dog's skillful performance in the field make for an interesting "Sportscope." The dog's maneuvers in flushing the bird and in retrieving it are pictured effectively. Dog owners and hunters especially should appreciate this subject. Running time, 9 mins.

"Bar Buckaroos"

(*RKO*)

Ray Whitley and his "Six-Bar Cowboys" accept jobs as bouncers in a saloon so that they might earn the entry fee for a forthcoming rodeo. A brawl ensues and the bouncers get bounced. Whitley and his group find time, however, to play and sing a few Western melodies. The music is pleasant. Running time, 16 mins.

THE FINEST ACCOUNTING BOOK EVER COMPILED FOR MOTION PICTURE THEATRE OWNERS!!

AUDITORIUM THEATRE
H. E. Miller, Prop.
●
FESSENDEN, N. DAK. August 26, 1940

Quigley Book Shop
Rockefeller Center
New York, N.Y.

Dear Sir;

I like your THEATRE MANAGEMENT BOOK very much because the data can be kept and is at your finger tips all the time. I am enclosing a money order for another for the coming year.

Sincerely.
H.E. Miller
H.E. Miller



Compiled by THEODORE J. SULLIVAN

■ **YOUR MONEY WILL BE IMMEDIATELY REFUNDED IF YOU DON'T FIND THIS TO BE A PRACTICAL, SIMPLIFIED BOOKKEEPING SYSTEM**

$2.00 Postpaid

MAIL COUPON NOW

QUIGLEY BOOKSHOP, ROCKEFELLER CENTER, NEW YORK

Here is my check for $2.00. Send me "THEATRE MANAGEMENT RECORD."

Name _____ Address _____

City and State _____ Theatre _____

Construction Of 3 Stations Is Approved

WASHINGTON, Nov. 17.—The Federal Communications Commission has authorized the construction of three new broadcasting stations and granted power increases for five transmitters.

The commission issued construction permits to the LaGrange Broadcasting Co. for a 1,210-kilocycle, 250-watt station at LaGrange, Ga.; the Central Willamette Broadcasting Co. for a 1,210-kilocycle, 250-watt station at Albany, Ore., and the Delta Broadcasting Co. for a 1,500-kilocycle, 250-watt station at Escanaba, Mich., and authorized Stations KFUO, Clayton, Mo., and KMO, Tacoma, Wash., to increase power from 1,000 to 5,000 watts; WEXL, Royal Oak, Mich., to increase power from 50 to 250 watts; WFPG, Atlantic City, N. J., to increase night power from 100 to 250 watts, and KRIS, Corpus Christi, Tex., to increase power from 500 to 1,000 watts.

Many Hearings Set

A number of applications were ordered set for hearing, among them the construction-permit requests of Fred Jones Broadcasting Co. for a 690-kilocycle, 50,000-watt station at Tulsa, Okla.; Trent Broadcasting Corp. for a 1,230-kilocycle, 1,000-watt station at Trenton, N. J.; Community Broadcasting Corp. for a 1,310-kilocycle, 250-watt station at New York; Community Broadcasting Co. for a 1,310-kilocycle, 250-watt station at Middletown, N. Y.; Central Carolina Broadcasting Corp. for a 1,420-kilocycle, 100-watt station at Burlington, N. C.; Greensboro Broadcasting Co., Inc., for a 1,370-kilocycle, 100-watt station at Greensboro, N. C., and High Point Broadcasting Co. for a 1,370-kilocycle, 100-watt station at High Point, N. C.

Power Increases Asked

Other applications designated for hearing included those of Stations KOMA, Oklahoma City, for increase of power from 5,000 to 50,000 watts and change of frequency from 1,480 to 690 kilocycles; KGGF, Coffeyville, Kan., for change of frequency from 1,010 to 690 kilocycles and increase of power from 1,000 to 5,000 watts; KFEQ, St. Joseph, Mo., for increase of power from 500 watts night, 2,500 watts day, to 5,000 watts; KWK, St. Louis, Mo., for change of frequency from 1,350 to 680 kilocycles and increase of power from 1,000 watts night, 5,000 watts day, to 50,000 watts; KFRO, Longview, Tex., for increase of power from 1,000 to 5,000 watts; KGNO, Dodge City, Kan., for increase of night power from 250 to 500 watts; WMBG, Richmond, for increase of night power from 1,000 to 5,000 watts; WBCM, Bay City, Mich., for increase of night power from 500 to 1,000 watts; WHIS, Bluefield, W. Va., for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day, and WSFA, Montgomery, Ala., for increase of night power from 500 to 1,000 watts.

Off the Antenna

TWELVE prominent persons have been named as the George Foster Peabody Radio Awards Advisory Board, which will make annual radio awards similar to the Pulitzer Prizes in journalism.

The board, announced by Dr. Harmon W. Caldwell, president of the University of Georgia, and Dr. John E. Drewry, dean of the University's Henry W. Grady School of Journalism, includes: Dr. S. V. Sanford, Bruce Barton, John H. Benson, Virginius Dabney, Norman H. Davis, Jonathan Daniels, Mark F. Ethridge, Waldemar Kaempffert, Alfred A. Knopf, Dr. John W. Studebaker, Mrs. Marjorie Peabody Waite and Edward Weeks.

The plan for the awards was set up with the cooperation of the National Association of Broadcasters. The first awards will be made in 1941.

• • •

Program News: *The "Carnation Contented Hour" has been renewed for a ninth year over a 56-station NBC-Red hookup, starting Jan. 6. . . . Arturo Toscanini's first NBC concert of the season on Saturday, Nov. 23, will be broadcast by short wave throughout Latin America. . . . The premiere of the "Campbell Playhouse" over CBS, scheduled for Nov. 22, has been postponed to Friday, Nov. 29. . . . The Federation Bank and Trust Co., New York, has signed with WQXR to sponsor "Tomorrow's Headlines," Associated Press news for 13 weeks, three times weekly.*

• • •

Eddie Cantor, in addition to his regular radio stint, has undertaken to make twice weekly broadcasts to England through WRUL, Boston, as an aid to British morale.

• • •

Two new stations have become affiliates of NBC, WAML, Laurel, and WFOR, Hattiesburg, both in Mississippi. They have joined the Red Network Southcentral group. Station WEMP, Milwaukee, will become a supplementary Blue Network outlet Jan. 1. The two Mississippi outlets give NBC 208 active affiliates.

• • •

Philco Radio & Television Corp. *completed the manufacture of its* 15,000,000*th radio receiving set last week, representing one-third of the total sets made by the radio industry. Philco executives presented the set to Mayor Lamberton of Philadelphia at the company plant there. Philco reports auto radio sets sold during the first* 10 *months of* 1940 *totaled* $6,878,909 *at factory prices.*

• • •

Frank Braucher, who recently resigned as vice-president in charge of advertising for WOR, has been elected full time president of the Periodical Publishers Association, effective Dec. 1.

CBS to Compensate Conscripted Men

CBS on Friday announced that all employes who are called to serve in the armed forces of the United States will receive compensation on the basis of their period of employment.

One month's salary will be provided for each year of employment on a graduated scale up to six months' salary for those employed six years or more. Also the company will undertake to maintain employe payments on the group insurance, and will re-employ all men on the expiration of their service. Employes of CBS, Columbia Recording Corp. and Columbia Artists, Inc., are included.

Radio Gives Stars For 'Night of Stars'

Radio will furnish most of the talent for the forthcoming Seventh Annual "Night of Stars" at Madison Square Garden, Nov. 27, according to Marvin Schenck, chairman of the producers committee. Included will be the Andrews Sisters, Andre Baruch, Eddie Cantor, George Hamilton Coombs, Benny Fields, Jay C. Flippen, Willie and Eugene Howard, George Jessel, Ella Logan, Everett Marshall, the Merry Macs, Mills Brothers, Lucy Monroe, Lyn Murray, Jan Peerce, Lanny Ross, Raymond Gram Swing, Johannes Steel, Elmer Davis, Dorothy Thompson, Bea Wain, Henny Youngman, Barry Wood, Connie Russell, Al Siegel, Maxine Sullivan, Glen Gray, Eddy Duchin, Abe Lyman, Glenn Miller and Mark Warnow.

Sarnoff Gets 6-Year Renewal of Contract

The Securities and Exchange Commission on Friday reported an agreement by RCA to continue David Sarnoff as president for the next six years at his present annual salary of $100,000, with provision for a $20,000 annual pension at the end of that period.

It also was reported that last Oct. 15 RCA borrowed from banks $5,000,000 for a five-year period at an annual interest rate of 1½ per cent. RCA promissory notes aggregating $5,000,000, maturing Oct. 15, 1945, were delivered by the company in connection with the loans. The money was used to pay outstanding bank loans and for working capital and expansion of facilities under the national defense program.

2 Receivers Named For Broadcast Firm

WILMINGTON, Nov. 17.—Chancellor W. W. Harrington has named Daniel F. Wolcott of Wilmington and Harry H. Stehman of Pittsburgh as receivers for Transcontinental Broadcasting System, Inc., a Delaware corporation, in Chancery Court here. The action was brought by M. J. Klein, a stockholder.

Stong Sues CBS, Wrigley

Phil Stong, author, has filed suit in U. S. District Court here against CBS and William Wrigley, Inc., for an injunction, accounting and damages. He charged them with plagiarizing parts of his book "Career" in the radio program "Gateway to Hollywood" last year.

FCC Questions Court's Power On Allocations

WASHINGTON, Nov. 17.—Jurisdiction of the courts to intervene in the allocation of broadcasting facilities has been questioned by the Federal Communications Commission.

The point was raised in a brief filed with the District of Columbia Court of Appeals, in which the Commission contended the court is without power to grant the relief sought by station KVI, Tacoma, Wash., which is fighting a Commission permit authorizing station KIRO, Seattle, to increase its power to 10,000 watts and move its antenna to a point midway between the two cities.

The Tacoma station challenged the Commission, declaring that since both stations are Columbia outlets the increase of power and changed location granted KIRO will result in a duplication of Columbia programs in the Tacoma area.

In its brief, the Commission contended that the station has no just grounds for opposing the KIRO changes and is merely seeking to prevent increased competition.

NBC Bans Ascap Music on Network

All Ascap music was banned from NBC sustaining programs as of last Friday. Such programs use about 60 per cent of NBC's broadcasting time. The ruling will continue in force indefinitely, network officials said.

CBS expects to have a complete ban on Ascap music in effect on its sustaining programs by Dec. 1. At present, it requires the playing of three non-Ascap tunes on each 15-minute sustaining program and four on each 30-minute program. WOR (Mutual) requires two non-Ascap tunes on every 15-minute sustaining program and four on every 30-minute program.

Mayor La Guardia has been urged by Richard Himber, band leader, to act as mediator in the Ascap-network dispute over new music licensing terms. Ascap asserts that its door is "always open" to the broadcasters for a discussion of the new terms.

Jacksonville Asks More Station Power

WASHINGTON, Nov. 17.—The City of Jacksonville, Fla., has petitioned the Federal Communications Commission for authority to increase the night power of its broadcasting station, WJAX, from 1,000 to 5,000 watts.

An application also has been filed by Station KTRH, Houston, Tex., for removal of its transmitter from Deepwater to Dayton, to be considered in connection with its pending application for a change of frequency from 1,290 to 740 kilocycles and increase of power from 1,000 watts night, 5,000 watts day, to 50,000 watts.

M-G-M Buys Musical

HOLLYWOOD, Nov. 17.—M-G-M has purchased the late George Gershwin's musical, "Lady Be Good."

DO NOT REMOVE COPY
Alert
, 522
Street
York City

Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 99 NEW YORK, U. S. A., TUESDAY, NOVEMBER 19, 1940 TEN CENTS

Price Cut Is Urged to Aid Sunday Plays

Must Meet Competition Of Film Houses

The success of Sunday plays on Broadway depends on the ability of legitimate stage managers to compete with film houses, according to an editorial in *Equity*, official organ of Actors Equity Association. Cheaper seats and courtesy to patrons equal to that shown at film houses are needed in the legitimate theatre, says the editorial.

Equity two weeks ago sanctioned Sunday shows for an experimental period to June 1.

Twelve shows have scheduled performances for this Sunday. They include "Blind Alley," "Beverly Hills," "Charley's Aunt," "George Washington Slept Here," "Glamour Preferred," "Hellzapoppin'," "Johnny Belinda," "Kind Lady," "Separate Rooms," "Suzanna and the Elders," "The Man Who Came to Dinner" and "Tobacco Road."

Brock Pemberton will speak at 6:30 tonight over WINS, discussing the new Sunday show policy.

After declaring that nobody knows what value Sunday shows will be to

(*Continued on page 6*)

Sam Franks Heads Allied of So. N. J.

Sam Franks, owner of the Rivoli, Hammonton, was named acting chairman, and Mrs. Florence E. Rose secretary, of the Southern New Jersey unit of the Allied Theatres of New Jersey, at an organization meeting in Camden, yesterday afternoon. Mrs. Rose is manager of theatres in Bridgeton.

It was decided to meet henceforth in Philadelphia, on Mondays, the fre-

(*Continued on page 6*)

Samuel Flax Dies At Football Game

WASHINGTON, Nov. 18.—Excitement during a professional football game yesterday proved fatal to Samuel M. Flax, Republic franchise holder here, who suffered a heart attack. He attended the game with his two sons.

Flax had been associated with his brother, Jacob E. Flax, in film activities for 21 years. He was a member of the Variety Club.

Warner Bros. Set Grad Sears Drive Dec. 22 to April 19

Warner Bros. again honors Gradwell L. Sears, general sales manager and president of Vitagraph Inc., W. B. distributing subsidiary, this year by holding a national sales drive in his honor. There will be awarded $25,000 in cash prizes to members of the company's sales force during the campaign. The drive will run for a period of 17 weeks, from Dec. 22, 1940, to April 19, 1941.



Gradwell Sears

Several of Warners' most important pictures have been scheduled for release during the Sears campaign.

(*Continued on page 6*)

'Fantasia' Heading For 2-a-Day Record

"Fantasia" is on the way to a two-a-day box-office record on its initial seven-day performance at the Broadway Theatre, as the experts estimate that by tonight, when the first week of the picture will end, the Disney film which stars Leopold Stokowski and Mickey Mouse will have garnered approximately $33,000 on 14 perform-

(*Continued on page 3*)

ARBITRATION COST LOW FOR THEATRE

Greenthal Slated To Succeed Farnol Who Leaves U.A.

In fulfillment of the policy which has been established at United Artists by Maurice Silverstone, of promoting employes from the ranks, Coast officials expect that Monroe Greenthal will be named chief of the company's advertising and publicity department, to succeed Lynn Farnol, who has tendered his resignation, effective Jan. 1, it was learned last night.

Greenthal, at present, is director of trade paper advertising and exploitation. He has been with United Artists for nearly 11 years, specializing in advertising and publicity.

That Farnol had tendered his resignation was announced in Hollywood last night by Silverstone, after word broke here about Farnol's resignation following the latter's return, over the weekend, from a trip to California.

Farnol's contract had until May to run but there has been no official revelation regarding any possible settlement of the unexpired portion of Farnol's contract.

Farnol is going into business for himself, it is stated.

Today, a board meeting of United Artists is scheduled in Hollywood, and according to home office officials, an announcement regarding Greenthal's promotion may be forthcoming.

AAA Estimates Average Cost to Exhibitor At $50 to $75

Arbitration under the consent decree will be financially within the reach of every exhibitor entitled to bring a complaint before any of the 31 local boards to be set up in the next two months, American Arbitration Association officials said yesterday.

Based on the experience of the Association with costs in cases comparable to those which may arise in this industry, the average expense of a film arbitration case should be no more than $50 to $75, officials said.

A.A.A. officials estimated the highest possible cost of arbitrating a film case at $300, and said that such cases would be "extremely rare."

A.A.A. officials stated that few cases under their supervision have required the services of an attorney, particularly since the rules of evidence do not apply at arbitration hearings. They also pointed out that while $50 is the maximum daily fee for each arbitrator, the maximum will not be paid in every instance.

Several exhibitor representatives in stating their objections to the consent decree before Federal Judge Henry W. Goddard last week criticized the arbitration proceedings on the ground that they would be too costly for the average small exhibitor.

"Arizona"

[Columbia]

Hollywood, Nov. 18

NO year since the 1923 of "The Covered Wagon" has passed without its smash Western picture and this could be the smash of 1940. It is a production on the vast scale of those which have made box-office history and it has, in common with them, the big, historical drama in the background against which the powerful personal story of the players is enacted. It shifts emphasis from background to foreground, mingling the two, in a manner to build tension, stress and conflict to a peak calling for violent relief, furnished here by gun battle to the death

(*Continued on page 3*)

OTHER REVIEWS: "Remedy for Riches," "Phantom of Chinatown"—P. 3; "Melody Ranch," "Barnyard Follies," "Hold That Woman"—P. 6.

Para. Heads Meet Again Next Spring

Paramount executives will meet in Hollywood or New York next Spring for further discussions of production, theatre operating and general business problems, Barney Balaban, Paramount president, said yesterday on his return from the first such meeting at the studio last week.

Balaban was accompanied East by Stanton Griffis, chairman of the executive committee, and Neil F. Agnew, vice-president and distribution head. He said the meeting covered production, distribution, exhibition and television.

Comply With Cuban Block Booking Ban

American distributors in Cuba are complying with the anti-block booking law which went into effect there last Friday but are servicing only those contracts which are not affected by the law, according to reports by Havana branches to the home office yesterday.

New contracts are being accepted covering completed releases on hand in Cuba, but no contract is being made for a period beyond next January and no "spot bookings" are being accepted.

Sher and Goddard Will Confer Today

Assistant U. S. Attorney General Robert Sher will come here from Washington today for a conference with Federal Judge Henry W. Goddard at the latter's request.

Despite the fact that news of the meeting gave rise to speculation that the court might suggest that changes be made in the consent decree, which is before Judge Goddard for approval, nothing official could be learned of the meeting's purpose.

Sher was one of the two Government attorneys who defended the decree against exhibitors' attacks at the hearing before Judge Goddard last Thursday.

Duffy Honored at Albany Luncheon

ALBANY, Nov. 18.—About 75 members of the industry, including a score of exhibitors, paid tribute today to Fred Duffy, veteran salesman, at a luncheon at the De Witt Clinton Hotel. Duffy has retired from business because of ill health. He was with Republic.

In attendance was every branch manager and salesman in the city. George Tucker, RKO salesman, was master of ceremonies. The speakers were Ralph Pielow, M-G-M; Richard Hayes, Paramount; Edward Hochstim, Columbia, and Gene Lowe, Republic.

Duffy operated the Hibernian Hall, Utica, before selling here for Educational and Universal. He joined Republic two years ago.

Schenck Heading Paralysis Drive

Joseph M. Schenck, chairman of the board of 20th Century-Fox, again has accepted the vice-chairmanship of the Committee for the Celebration of the President's Birthday, which conducts the "Fight Infantile Paralysis" campaign. Schenck has held this post for the past three years, serving under Keith Morgan, who again has accepted the post of national chairman.

Eddie Cantor once more has agreed serve as chairman of the "March of Dimes" for radio. The drive for funds reaches its climax on Jan. 30, President Roosevelt's 59th birthday.

Personal Mention

DAVID ROSE, Paramount British production head, is scheduled to arrive from Europe on the *Siboney*, the next ship scheduled to sail from Lisbon.

•

HERMAN WOBBER, director of distribution for 20th Century-Fox, will remain on the Coast indefinitely, spending Thanksgiving at his home in San Francisco.

•

LEE KAMERN, manager of the Astor, is improving after an operation for appendicitis at Medical Arts Center on Sunday.

•

F. J. A. MCCARTHY, Eastern division sales manager for Universal, left last night for product conferences with TONY SUDEKUM, circuit head. MCCARTHY will then go to Atlanta and is expected to return at the end of the week.

•

WALTER BRANSON, Midwestern district manager for RKO at Chicago, is in New York.

•

HARRY GOLDSTEIN, district manager for the Brandt circuit, and MILDRED GLASSBERG were married Sunday and are now on a two-week honeymoon trip.

•

DOROTHY MAY KEENEY, daughter of CORMACK G. KEENEY, manager of the Park, Reading, Pa., will be married tomorrow to JOHN JOSEPH MILLER at St. Paul's Roman Catholic Church in Reading.

•

MRS. MAXWELL HOFFMAN, wife of the head of the Warner Theatres booking department in New Haven, gave birth to a daughter, LINDA RUTH, at Grace Hospital late last week.

•

DAN F. GREENHOUSE, RKO manager in the Philippines, has arrived in Los Angeles for a vacation. He will visit the home office before returning to Manila.

•

JOSEPH LUCACHEVITCH, French producer, who recently arrived in this country, leaves by plane today for the Coast.

WATTERSON ROTHACKER, Hollywood vice-president of Quigley Publications, has returned to the Coast after a three-week stay in New York.

•

HERMAN FINKELSTEIN of Schwartz & Frohlich, Ascap counsel, and JOHN G. PAINE, Ascap general manager, addressed a Columbia University Law School meeting yesterday on copyright law and its applications to Ascap's functions.

•

BARNEY BALABAN, AUSTIN KEOUGH, AL MARGOLIES, ARTHUR LOEW, DAVE BLUM, MORT SPRING, JOHN GOLDEN, JOHN EMERY, GLENN ANDERS, ARCH REEVE, GENE TIERNEY, HERMAN ROBBINS, BEN WASHER, SAM SHAIN, ZORINA, GEORGE BALANCHINE, JANE WYATT and EDITH VAN CLEVE lunching at Sardi's yesterday.

•

ABE SCHNEIDER, IRVING SHAPIRO, ARCHE MAYER and SEYMOUR POE having lunch yesterday at Lindy's (next to the Rivoli).

•

WILLIAM F. RODGERS, ERNO RAPEE, OWEN DAVIS, WILLIAM ORR, LAURENCE BOLOGNINO, JOHN W. HICKS and MAX DREYFUS at Nick's Hunting Room in the Astor yesterday for lunch.

•

PAUL BENJAMIN, MAURICE BERGMAN, HARRY GOETZ, LOU POLLOCK, HANK LINET, MAX GORDON, JOSEPH MOSKOWITZ, ARTHUR LEE and SAM CITRON lunching yesterday at the Tavern.

•

LESTER THOMPSON, head of the M.P.P.D.A. Advertising Advisory Council, is confined to his home with a cold.

•

HARRY M. BESSEY, secretary-treasurer of Altec Service Corp., has returned from Kansas City.

•

HARRY F. SHAW, LOU BROWN, ROBERT RUSSELL, SAM BADAMO, WILLIAM REISINGER and NAT RUBIN will be honor guests at the annual Loew-Poli ushers' dinner and dance at the Seven Gables Inn tomorrow night.

Erlanger in Phila. Leased by Goldman

PHILADELPHIA, Nov. 18.—The 2,000-seat Erlanger in downtown Philadelphia has been leased by William Goldman, one-time general manager of the Stanley Warner Circuit in this territory and more recently operator of an independent circuit in Eastern Pennsylvania.

Goldman plans to use the house for legitimate shows and roadshow films this season and to switch to straight films next year. The theatre has been used mostly for stage shows in recent years.

Goldman is reported to be negotiating also for the 1,700-seat Shubert, another downtown house used for stage shows and burlesque in the past few years.

Levison Dead on Coast

HOLLYWOOD, Nov. 18.—John Robert Levison, assistant art director for Selznick, is dead here. He was at one time on the art staff of the Paramount studio at Astoria, L. I.

Levy Named Barker By Philadelphia Club

PHILADELPHIA, Nov. 18.—Dr. Leon Levy, president of WCAU, was elected chief barker for the new year of the local Variety Club by the board of directors today with Earl W. Sweigert as first assistant chief barker, and Hillary Brown second assistant barker.

John Monroe, incumbent, was re-elected secretary, William McAvoy continues as treasurer and Harry Ball was reelected fixer (attorney).

Federation Heads Meet Next Tuesday

The Amusement Division of the New York and Brooklyn Federations for the Support of Jewish Philanthropic Societies will hold a luncheon meeting in the North Garden of the Hotel Astor next Tuesday. Plans will be formulated for the Federation's campaign in the various branches of the division.

Two Thanksgivings

Providence, Nov. 18.—Rhode Island exhibitors were pleased when Dr. James F. Rockett, State Director of Education, announced that schools will be closed on both Thanksgivings, this Thursday and the traditional New England Thanksgiving date, the last Thursday in the month. Governor William H. Vanderbilt has proclaimed Nov. 28 as the Rhode Island Thanksgiving.

Extend Delaware Sunday Blue Law

WILMINGTON, Nov. 18.—Delaware's antiquated Sunday blue laws, which are being studied by a special legislative commission for possible modernization, over the weekend were applied to bowling and skating rinks by Attorney General James R. Morford.

In a letter to Rev. Ralph L. Minker, chairman of the legislation commission, Morford listed several possible steps in modernizing the law: outright repeal with no substitute legislation; repeal, giving to town councils unlimited power by ordinance; repeal, substituting a statewide statute prohibiting enumerated activities.

Funeral Rites Held For Martin Beck

Funeral services were held yesterday afternoon at the Campbell Funeral Church for Martin Beck, who died Saturday morning following an operation. Dr. Theodore Cuyler Speers of Central Presbyterian Church and Arthur Hopkins officiated. Personal friends and members of governing board of the League of New York Theatres were honorary pall bearers. Burial was in Salem Fields, Long Island.

Among the theatrical personalities present were: Gilbert Miller, Lawrence Langner, Lee Shubert, Charles MacDonald, John Golden, Lucius Cook, James Strook, Al Lewis, Mr. and Mrs. Brock Pemberton, License Commissioner Paul Moss, William Klein and Max Gordon.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

Open 'Twelfth Night' At St. James Tonight

The Shakespeare comedy, "Twelfth Night," opens at the St. James Theatre tonight with Helen Hayes and Maurice Evans in the top roles. The Theatre Guild and Gilbert Miller produced the show and Margaret Webster directed. Others in the cast are June Walker, Sophie Stewart, Mark Smith and Wesley Addy.

'Fantasia' Heading For 2-a-Day Record

(*Continued from page* 1)

ances, on an admission scale which runs from 75 cents to $2.20.

The Broadway Theatre has a capacity of 1,864, being one of the larger houses in the Times Square area. It is about 800 seats larger than the Astor, where "The Great Dictator" is showing two-a-day. Besides the regular box-offices, an outside box-office has been set up in an adjoining building and several treasurers have been added to the staff.

Controversy Helped

The controversy about the film involving film and music critics, and more recently the dance critics, is considered by officials connected with the picture to have started a box-office boom.

The price scale on the orchestra floor ranges from $1.10 to $2.20 and the balcony from 75 cents to $2.20 at night.

Broadway first runs enjoyed big grosses over the weekend. After days of rain, the weather cleared Saturday and Sunday, aiding the box-office.

"The Great Dictator" in its fifth week will do about $42,000 at the Capitol and about $16,000 at the Astor.

"Northwest Mounted Police" with Glen Gray's band and Red Skelton on the stage grossed an estimated $26,000 over the weekend at the Paramount and should draw an estimated $56,000 for the second week which ends tonight. It will be held for a third week.

'Escape' $47,000 in 4 Days

At the Music Hall, "Escape" with a stage show drew an estimated $47,500 for the first four days of the third week and "Bitter Sweet" will open at the house Thursday. "Tugboat Annie Sails Again" with Teddy Powell's band, Priscilla Lane and Jack Haley on the stage grossed an estimated $9,500 for the first three days of the second week at the Strand. "The Letter" opens at the Strand Friday.

"You'll Find Out" with Kay Kyser's band on the stage as well as in the film had a big opening at the Roxy with an estimated $38,000 for the first four days. It is set for only one week, however, and will be followed by "Tin Pan Alley" Thursday.

"Christmas in July" grossed an estimated $2,000 for the last three days at the Rivoli and "Seven Sinners" opened on Saturday. "Girls Under 21" drew an estimated $6,300 at the Globe, with "Angels Over Broadway," which opened Saturday, drawing an estimated $5,000 over the weekend.

"Arizona"

[Columbia]

(*Continued from page* 1)

between the champions of right and wrong.

Producer-director Wesley Ruggles has poured into this presentation of the story of Arizona and its people in the period of the Civil War a long and rich experience which makes itself eloquent in the masses and the details, the sweep of the background events and the pinch of the personal story, in equal measure.

Claude Binyon's screenplay is tight as a drum and his dialogue rings true in every inch. Clarence Budington Kelland's story is a deep and rounded narrative containing many and varied values for all types of audiences.

The outstanding performance of Jean Arthur, as the first white woman in Tucson and equal to any man in the place at gun fighting or what have you, is something for showmen to tell the customers about in unrestrained praises. Close up to her portrayal is that of William Holden, utilizing a similar technique, and next to his is a different type of characterization by Warren William as the plotter against hero, heroine and all else. Porter Hall, George Chandler, Byron Foulger, Paul Harvey, Regis Toomey, Paul Lopez and Colin Tapley are other principals in a large cast.

Tucson in 1860-'64 is the scene of the story, as Tucson of 1940 was last week the scene of a spot-preview plus broadcasts serving as starting gun for the film in an exploitation way, and the shiftings of the population's allegiance from Union to Confederacy and back again, as the rival troops come and go, provide a mainspring of interest in themselves.

Projected against this backdrop is an equivalently powerful story about a woman who believes in the future of Arizona to the point of fighting for her place in it, a man who isn't so sure about that but sure enough about his love for the woman to fight, risk and kill for her, and about some other men, including Indians, who make life perilous and all futures uncertain in all of the Territory.

The picture is on the large scale, the broad canvas, with cattle herded across the plains, stampeded into the ranks of attacking Apaches, with troops coming and going, but always with the people of the story and their problems to the fore on screen and in audience mind.

Running time, 125 minutes. "G"* ROSCOE WILLIAMS

"Remedy for Riches"

(RKO)

HOLLYWOOD, Nov. 18.—RKO's "Remedy for Riches," produced by Stephens-Lang, far exceeds in comedy values the previous "Dr. Christian" stories. Given a vigorous plot, which deals with the attempt of two thieves who "salt" a plot of ground near River's End with oil, the film was enthusiastically received by the preview audience.

Jean Hersholt again plays the role of "Dr. Christian," with Dorothy Lovett as his nurse, Robert Baldwin as the pharmacist and Maude Eburne as the doctor's housekeeper. Others in the cast are Edgar Kennedy, Jed Prouty, Walter Catlett, Warren Hull, Margaret McWade, Halline Hill, Renie Riano, Barry Macollum, Lester Scharff, and Prudence Penny.

Erle C. Kenton directed the original screenplay by Lee Loeb, which was taken from the widely known radio program, "Dr. Christian," on which Hersholt also appears. William Stephens was the producer.

Hersholt saves the funds of residents of River's End, who are about to be taken by a pair of promoters who "discover" oil on a nearby plot. Underlying it is the romance of Hersholt's nurse and the pharmacist.

Running time, 66 minutes. "G."* VANCE KING

"Phantom of Chinatown"

(Monogram)

HOLLYWOOD, Nov. 18.—Keye Luke, in his first starring role, here appears as "Jimmy Wong," the Chinese-American detective created by Hugh Wiley. Boris Karloff had previously appeared in five pictures of the series.

With the aid of Lotus Long, as a representative of the Chinese Government, and Grant Withers, as a police lieutenant, the murder of an explorer is solved with the discovery that he had unearthed the source of an oil supply in that country.

The Joseph West screenplay was directed by Phil Rosen and produced by Paul Malvern. The cast includes Paul McVey, Charles Miller, Virginia Carpenter and John Dilson.

Running time, 62 minutes. "G."* W. S.

**"G" denotes general classification.*

I. A. Unions Seek to Renew Negotiations

HOLLYWOOD, Nov. 18.—Members of the Producers' Association labor committee tonight had before it a request from the I.A.T.S.E. locals for reopening negotiations on a further contract and demands of the Screen Publicists Guild and the Society of M. P. Art Directors for revision of bargaining pacts.

In a lengthy communication, signed by the business representatives headed by Harold V. Smith, the I.A.T.S.E. pointed out that the producers had agreed to negotiate separate contracts covering wage scales and working conditions at the time they granted a 10 per cent wage increase under pressure from William Bioff.

Meanwhile, adding fuel to the fight between the Class B council (extras) and the Screen Actors Guild directors, was an announcement by the Guild board of a petition signed by 227 Class B members asking abolition of the council, a referendum on which is under way. The Guild board said it had more than 1,000 letters and wires supporting the abolition move.

Openings of a hearing on the petition of Building Service Employes local to be certified as the collective bargaining agency at major studios was delayed today to Nov. 27 by the N. L. R. B. when John J. Mahoney, International representative, said records of the union are not available to him. The union is involved in litigation in a dispute over funds and records.

Wilbur Asks Neely Action by Congress

WASHINGTON, Nov. 18.—Majority and minority leaders of Congress today were asked by Dr. Ray Lyman Wilbur, head of the Motion Picture Research Council, not to adjourn without taking action on the Neely block booking bill.

In a protest against permitting the measure to die through adjournment, Dr. Wilbur declared enactment of the bill would free 10,000 independent theatres from compulsory block booking and blind selling.

Members of the House tomorrow will vote on a resolution for immediate adjournment of the session, the passage of which will depend upon the ability of majority leaders to get enough members to return to Washington to insure the necessary vote.

Jack Cohn on Coast For Columbia Talks

Jack Cohn, Columbia vice-president, and Nate Spingold, home office executive, went to Hollywood for studio conferences with Harry Cohn, president, following the premiere of "Arizona" at Tucson last Friday.

Abe Montague, general sales manager, and Rube Jackter, his assistant, went to San Francisco from Tucson, where they will conduct the fourth of the company's regional sales meetings next weekend.

Lou Weinberg, Max Weisfeldt and Lou Astor of the home office sales department returned to New York over the weekend following the premiere.

WORLD PREMIERE AT THE ROXY
LIMITED TO ONE WEEK ONLY

--AND W



KAY KYSER

IN THE MYSTERY WITH MUSIC

YOU'LL FIND OUT

WITH THOSE THREE BAD BAD-HUMOR MEN

PETER BORIS BELA

LORRE·KARLOFF·LUGOSI

N. Y.

HAT A WEEK!

All New York trying to crowd into the mammoth Roxy for the big mirth, melody and mystery show on the screen, with Kay and his band in person. Photos taken on Sunday, November 17, the fourth day of the spectacular seven-day-only run . . . Critics raving, fans cheering, ushers wearing out tapes, and excitement everywhere!





OPENING ALL OVER THE NATION THIS HOLIDAY WEEK!

DENNIS O'KEEFE • ALMA KRUGER and KAY KYSER'S BAND
featuring GINNY SIMMS HARRY BABBITT • ISH KABIBBLE
SULLY MASON and "THE COLLEGE OF MUSICAL KNOWLEDGE"

Produced and directed by DAVID BUTLER

HELEN PARRISH

RKO RADIO PICTURES

Price Cut Is Urged to Aid Sunday Plays

(*Continued from page* 1)

the legitimate theatre, the editorial makes "a suggestion as to where *Equity* believes that the greatest chance of success is to be found."

"It lies, *Equity* believes, in a real effort to popularize their cheaper seats. The crowds for which they are competing, and of which they have so often and so wishfully spoken, are essentially motion picture patrons. There they have been accustomed to paying about a dollar, and not more than a dollar and a half, for their seats. *Equity* does not think a great many of them are able or willing to pay more.

"And for that amount of money the motion pictures have given them a great deal. More than that these people have been made to feel welcome. Attention, perhaps even more than they have wished, on occasion, has been lavished upon them. If they do not get some appreciable part of this from the legitimate theatres they are going to miss it, perhaps resent it. So *Equity* hopes that the managers will try to see that as many seats as possible are available at these prices and that every one connected with the theatres, from the first moment of contact with these patrons will endeavor to make them glad that they have turned their attention to the legitimate theatre and happy to return to it."

Sam Franks Heads Allied of So. N. J.

(*Continued from page* 1)

quency of the meetings to be decided.

Members heard Lee Newbury, president of the state organization, explain its benefits. Workings of the Allied Information Department were explained.

Present from northern New Jersey were David Snaper, a director of Perth Amboy; Harry Loewenstein of Newark, Albert Geller of Newark, and Jacob Unger of Hillside. E. Thornton Kelly, field organizer, acted for the first part of the meeting in a supervisory capacity.

Members of the new unit are: Alexander and John Harwan of the Mount Ephraim Theatre, Mount Ephraim; Mrs. Helen Hildinger and Ralph Hildinger, of the Hildinger circuit, Trenton; Si Myers, owner of the Garden, Trenton; Murray Sternberg and Harold Thorp, of the Grand, Woodstown; Jack Waxman, operator of the Hollywood, Astor, and Cinema theatres, Atlantic City, and others; Ralph Wilkins of the Broadway, Pitman; A. W. and H. A. Hill of the Hill, Paulsboro; Mrs. Thora Kindle, manager of the Glassboro Theatre, Glassboro; Mrs. Frances Fineman, owner of the Little, Haddonfield; and James Ferrara and Mrs. Rose Picione of the Lyric, Landisville.

Feature Reviews

"Melody Ranch"

(Republic)

ON the heels of "Hit Parade," Republic has another ambitious undertaking in the form of a musical Western in modern dress, with cast names of marquee value in virtually all situations and with a long list of Western melodies that flavor the film. "Torpedo Joe," "Call of the Canyon," "Rodeo Rose" and the title song are the outstanding ones.

Gene Autry heads the cast, as a radio cowboy singer who returns to his home town with his radio company and rids it of the undesirable element. Jimmy Durante, Ann Miller, Barton MacLane, Barbara Allen, George "Gabby" Hayes, Jerome Cowan, Mary Lee and others familiar to Western fans are in support. For laugh purposes, Durante and Miss Allen, the latter as a school teacher and Durante as the announcer of the radio show, are excellent.

Drama and melodrama, comedy and music are in equal quantity in the film and while the basic tale is Western, the appeal is far greater than that of the general outdoor action picture. Joseph Santley directed the original screenplay by Jack Moffitt and F. Hugh Herbert. Sol C. Siegel was associate producer.

Running time, 84 minutes. "G."*

"Barnyard Follies"

(Republic)

HOLLYWOOD, Nov. 18.—Dependent upon novelty of idea, alacrity of performance and the presence of a number of vaudeville and radio players of talent, this lively musical furnishes 67 minutes of brisk diversion. Apart from the names available for billing purposes, it supplies showmen an exploitation angle in its featuring of the Four H Club, as an institution and as the club unit to which the youngsters in the picture belong.

Mary Lee, Rufe Davis, June Storey, Jed Prouty, Victor Kilian and Robert Homans are the principal picture names. Harry "Pappy" Cheshire, the Cackle Sisters, The Kidoodlers, Ralph Bowman and Isabel Randolph (Mrs. Uppington) are the radio personalities presented, with Jim Jeffries an additional personality. Many juveniles and a girl chorus also participate. Seven musical numbers, ranging from solos to ensembles, are used in the working out of the story.

The story idea by Robert T. Shannon, written by Dorrell and Stuart McGowan, is about a rural orphanage presided over by a kindly doctor who is persecuted by his neighbors. He inherits a night club, and in a situation too much for him but not too much for his loving charges, they extricate him and themselves from pressing difficulties by staging a show in a barn. Armand Schaefer produced, Frank McDonald directing.

Running time, 67 minutes. "G"* ROSCOE WILLIAMS

"Hold That Woman"

(Producers Releasing Corp.)

This is a light story that has a number of humorously involved situations which eventually become adjusted in entertaining fashion. The plot concerns itself with skip-chasing or, for the benefit of those not in the know, tracking down and returning to the dealer merchandise purchased by customers who fail to make the necessary payments at the appointed times. It is apparently a hectic business.

James Dunn has the lead, a loquacious but personable tracer. Others in the cast are Frances Gifford, George Douglas, Martin Spellman, Rita La Roy, Eddie Fetherson, Guy Usher, and Paul Bryar. Sherman Scott directed.

Running time, 67 minutes. "G."*

**"G" denotes general classification.*

'Men of Gloucester' Picture Completed

"Men of Gloucester," a film about large-scale sword fishing, has been completed by Ciro Caggiano. The producer, who states he worked five years on the film, describes it as a "documentary" and says that it contains authentic views of Gloucester life and the annual memorial services for fishermen drowned in Gloucester banks.

RKO Salesman Quits

PHILADELPHIA, Nov. 18. — Harry W. Tyson, RKO salesman, resigned.

To Examine Chaplin

Notice was filed in U. S. District Court yesterday that examination before trial of Charlie Chaplin will be taken Nov. 26 by Harry Jacobs, trading as the Garden Camera Exchange. Jacobs is defendant in a suit brought by Chaplin on the charge that he is duplicating 16mm. films of Chaplin's "Shoulder Arms."

To Show Vitasound

HOLLYWOOD, Nov. 18.—A demonstration of Warner-RCA Vitasound will be given tomorrow afternoon at the Warner studio under the direction of Major Nathan Levinson.

Warner Bros. Set Grad Sears Drive Dec. 22 to April 19

(*Continued from page* 1)

These include "Santa Fe Trail," starring Errol Flynn; "Strawberry Blonde," with James Cagney and Olivia de Havilland; "Footsteps in the Dark," starring Errol Flynn; "Far Horizon," starring Bette Davis, with George Brent; "The Sea Wolf," starring Edward G. Robinson, Ida Lupino, and John Garfield; "High Sierra," with Humphrey Bogart and Ida Lupino; "The Wagons Roll by Night," with Humphrey Bogert, Silvia Sidney and John Garfield; "Four Mothers," with the Lane sisters, Gale Page, Jeffery Lynn, Frank McHugh and Claude Rains, and "Honeymoon for Three," with George Brent and Ann Sheridan.

"Santa Fe Trail," will be given its world premiere in Santa Fe, N. M., Dec. 14.

This year, the Sears Drive is split into two rounds. The first round will cover a period of 12 weeks, and those of the field force who shall have either maintained or exceeded their respective sales quotas for this qualifying period will be permitted to participate in the contest for prizes on the second five weeks. Special awards for district managers will be included.

Sears started as a salesman for First National Pictures, in Chicago, Dec. 6, 1920. He rose to his present post, step by step, serving successively as branch manager, southern and western sales manager of Warner Bros.-First National, in August, 1937. He was named president of Vitagraph, Inc., in February, 1938.

La Crosse Case Is Off Until Next Year

MADISON, WIS., Nov. 18.—The $1,472,000 damage action of the La Crosse Theatres Co. against Paramount, United Artists and 20th Century-Fox, together with Welworth Theatre Co. and the Minnesota Amusement Co., which got under way in U. S. district court here Oct. 30, has been adjourned until after the first of the year by Federal Judge Patrick T. Stone.

The case was in the court for only six days and was interrupted because of the illness of Robert A. Hess, Milwaukee, counsel for the plaintiff. Hess has recovered from his illness. Only a few of the supoenaed witnesses testified before the court in the action.

Ontario Exhibitors Reelect Alexander

TORONTO, Nov. 18.—Harry Alexander, proprietor of the Lansdowne Theatre, Toronto, has been reelected president of the Independent Theatres Association of Ontario for the next association year.

Other officers reelected are: Vice-President Nat Taylor, Treasurer Tom Walton of the Rio Theater and Secretary Meyer Axler of the Exhibitors Booking Association. A. Polakoff of the Mayfair has been added to the board of directors following the retirement of F. C. Brown, who was elected to the directorate in the recent voting.

Lewis Wants Amendments To Radio Law

ATLANTIC CITY, Nov. 18.—John L. Lewis, in delivering his presidential report to the C. I. O. convention which opened here today at the Hotel Chelsea, demanded that the Federal Communications Act be amended to prohibit radio stations from denying labor unions the right to purchase time on the air.

He also hit at the National Association of Broadcasters for setting up an arbitrary rule that no station is supposed to sell time for "controversial subjects."

Charges Discrimination

However, he said, labor unions cannot get free time for radio debates "because employers will not give labor the publicity of a public debate." He cited the refusal of KYA, San Francisco, to renew a regular nightly C.I.O. labor program because it dealt with "controversial issues" yet, said Lewis, "large corporations in that area subsidized news and amusement programs which like the Ford Hour always include a bias in favor of the employer organization." Lewis added that there were similar instances in the past year in which other C.I.O. locals have been denied the right to secure radio time even when they offered to pay for it.

In charging that the N.A.B. ruling on "controversial issues" is harmful to labor and since the rule is not based upon any law or had any legal authority, he urged the necessity to subject to some control "the arbitrary power of the broadcasters to withhold or grant radio time." This can be done, he said, by amendment to the Federal Communications Act, "which would prohibit discriminations and afford a summary procedure for hearing cases of discriminations with authority to direct that the facilities be made available on nondiscriminatory terms." Such a move, he added, would put radio in the same class as other public utilities like railroads, ships, and bus lines "which must give equal service to all the public."

U. A., Bibo Close Deal

United Artists has closed for 13 "Travelcade" short subjects in color, for distribution in the Far East. The deal was closed by Arthur Kelly, U. A. vice-president, and Walter Bibo of Atlas Film Exchange, Inc.

May Delay Dec. 2 Monopoly Hearing

Washington, Nov. 18.—Possibilities that the scheduled Dec. 2 hearing on the radio monopoly report might be postponed by the FCC were mentioned today in reports.

James L. Fly, chairman, denied that any such suggestions were pending before the FCC, but in some circles there is a feeling that the highly controversial report might be heading toward burial.

Off the Antenna

GENERAL ELECTRIC will open its new FM station, W2XOY, in the Helderbergs, 12 miles from Schenectady, tomorrow evening. The initial program will feature talks by Charles E. Wilson, president, and W. R. G. Baker, manager of radio and television, and chairman of the National Television Systems Committee, as well as Phil Spitalny's all-girl orchestra.

After the first show, programs will originate from the WGY, Schenectady, studios daily from 3-10 P.M. News reports of local interest will be featured. Since ordinary telephone lines limit the high fidelity range of transmission, the programs will be sent from the studios to the transmitter by short wave. An area with a radius of approximately 50 miles from the transmitter will be served by the station, according to Robert S. Peare, G.E. manager of broadcasting.

• • •

Starting Sunday, Dec. 1, the Coca Cola Co. will feature Andre Kostelanetz in a program of popular music, with Albert Spalding, violinist, over CBS, 4:30-5:00 P. M.

• • •

Purely Personal: Phil Cook, conductor of "Morning Almanac" over WABC, will launch his annual drive for books for shut-ins next Monday. . . . Dick Teela, KSO-KRNT, Des Moines, production director, is scheduled to come to New York Dec. 1 on a production job for CBS. . . . Keyes Perrin, formerly with WOKO, Albany, has joined W2XOY, the new General Electric FM station near Schenectady, as an announcer. Perrin is the son of Oscar Perrin, manager of the Fabian Grand Theatre, Albany.

• • •

Third annual Uncle Don (WOR) Charity Show will take place Dec. 15 at the Hotel Astor with two performances, one at 2:30 P.M. and the other at 8:30. The affair will also be in the nature of a 15th anniversary party for Uncle Don. Proceeds are given to charities in the Metropolitan area.

• • •

Busy was the word for Martin Block yesterday. From 10-11:30 A.M. he conducted the "Morning Make-Believe Ballroom" (over WNEW), made recordings from 11:35 A.M.-12:30 P.M., returned to the station for the "Make-Believe Ballroom" from 5:30-7:30 P.M., and acted as master of ceremonies for the Local 802, Musicians' Union, benefit, from 8:30 P.M. to 6 this morning. And he's due back at the station at 10!

• • •

WSTV, Steubenville, O., which went on the air Nov. 4, will join Mutual tomorrow as the network's 162nd affiliate. The station operates on 1,310 k.c. with 250 watts, unlimited time.

Latin America Rebroadcasts Start Saturday

First test program of the NBC short wave policy of permitting standard band radio stations in 20 Latin American countries to rebroadcast the NBC short wave programs will take place Saturday night when Arturo Toscanini conducts the NBC Symphony Orchestra. About 15 stations have indicated their desire to rebroadcast the first show.

Regular Programs Start Jan. 1

John F. Royal, vice-president in charge of foreign relations, pointed out that the regular policy will not go into effect until Jan. 1. Royal said that the Latin American audience will be vastly increased when standard band stations rebroadcast programs picked up by short wave.

On Dec. 21, one of the two new 50,000-watt short wave transmitters now under construction will go on the air, Royal disclosed. In addition, it was said, cultural programs designed to build good will will be expanded and increased. Royal declared that prominent Latin Americans would be interviewed over short wave beamed to the South, and that, as a further good will gesture, their talks or entertainment specialties would also be broadcast here.

'Glamour' Is Third Play on Hollywood

"Glamour Preferred," play about Hollywood which opened at the Booth Theatre on Friday, was written by Florence Ryerson and Colin Clements and produced by Brock Pemberton. It is the third play about film makers to open on Broadway this season.

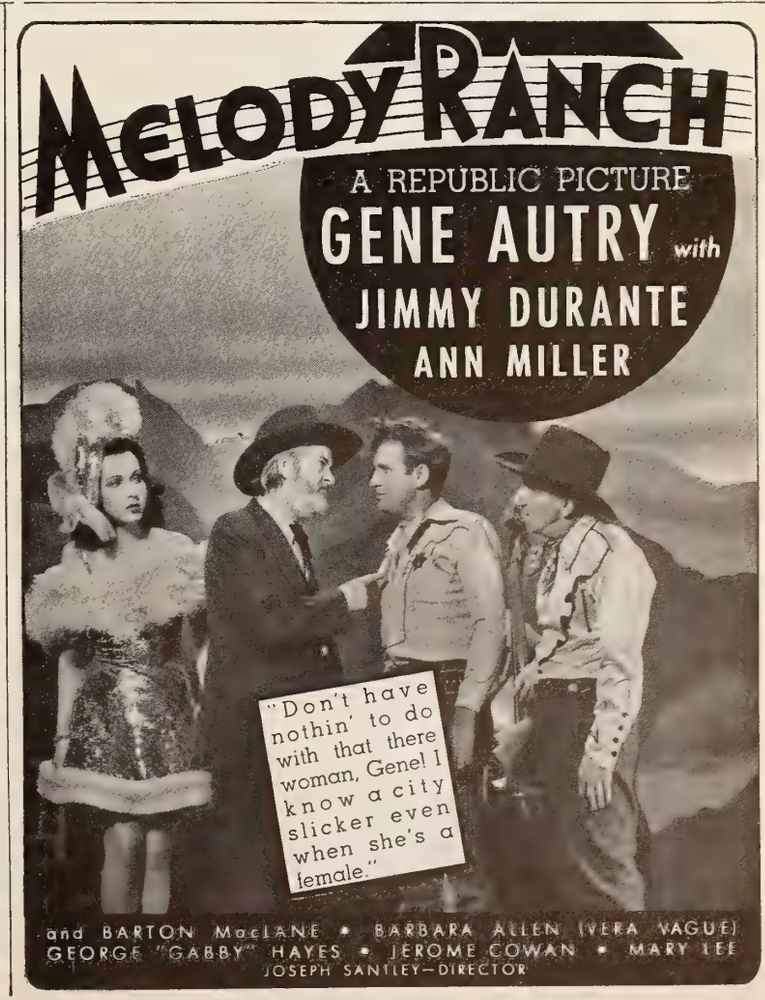
Typical of the reception accorded it by New York's daily paper dramatic critics are the following excerpts from their reviews: *Daily News*: "One of the better exposures of Hollywood family life."—Burns Mantle; *Herald Tribune*: "The worst of the three Hollywood plays that have recently turned the Broadway stage into a Class Z film studio."—Richard Watts, Jr.; *Times*: "The third and final one in a series (of Hollywood plays) . . . it is no improvement."—Brooks Atkinson.

Seltzer to Pittsburgh

LOS ANGELES, Nov. 18.—Frank Seltzer, publicity director for Hal Roach, has gone to Pittsburgh to arrange for the world premiere of "Roadshow." He plans to be there a month, during which Blake McVeigh, his assistant, will handle the studio's publicity.

Cinecolor Shows Loss

Cinecolor, Inc., showed a net loss of $20,240 in the September quarter, with net set sales of $21,199, according to unaudited figures filed with the Securities and Exchange Commission.



THEY'RE ALL TALKING ABOUT THE "One Kilowatt" ARC!



THEATRE OWNERS SAY:

"Those new 'One Kilowatt' arcs are the best investment I ever made. The box office figures show it. Fifty per cent more screen light, comfortable vision at all times, and color that is really *natural* — I tell you, people notice those things. No theatre in town puts on a better show than mine. But you'd be surprised how little it cost."



PROJECTIONISTS SAY:

"We projectionists try to put the best possible picture on the screen. That's our job. But it takes snow white, high intensity light to do it. These new 'One Kilowatt' high intensity arcs give us small theatre projectionists a break. Better black and white projection — tops for color — as cheap to run as low intensity — Boss, they've got what it takes!"



PATRONS SAY:

"Your pictures are a lot better since you put in those new lamps you were telling me about. Mary and I were saying they are as good as we've seen in any theater. That color feature was as natural as life but what I like most is finding a seat without playing 'blindman's buff.' Believe me, we're steady patrons now."

THE NEW "ONE KILOWATT" ARCS USE "NATIONAL," "SUPREX" AND "OROTIP" CARBONS

CARBON ARC PROJECTION LAMPS
ARE OPERATED AT A SAFE VOLTAGE. THEY ARE STURDY AND DURABLE AND ARE NOT COMPLICATED BY WATER COOLING

The words "National," "Suprex" and "Orotip" are trade-marks of National Carbon Company, Inc.

NATIONAL CARBON COMPANY, INC.
Unit of Union Carbide and Carbon Corporation
UCC

CARBON SALES DIVISION, CLEVELAND, OHIO
General Offices:
30 East 42nd Street, New York, N. Y.
Branch Sales Offices:
New York - Pittsburgh - Chicago - St. Louis - San Francisco

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 100 NEW YORK, U. S. A., WEDNESDAY, NOVEMBER 20, 1940 TEN CENTS

Offer to Buy Stock of Two U. A. Owners

No Decision at Annual Meeting on Coast

HOLLYWOOD, Nov. 19.—That there were recent offers made for the purchase of the late Douglas Fairbanks estate's one-fifth stock interest in United Artists by Maurice Silverstone, and Samuel Goldwyn's one-fifth interest by Walter Wanger, was learned today. Officials declined to state whether the matter had come up for discussion at today's annual stockholders' meeting.



Maurice Silverstone

Differences over the price of the two blocks were considered the only bar to an early agreement when first proposed, authorities asserted.

After a session at the Ambassador Hotel lasting three and one-half hours, the meeting was adjourned to Saturday because of the holiday. The sessions may last the greater part of next week. Alexander Korda was the

(*Continued on page 4*)

RKO Weighs Buy of KAO-Meehan Stock

Purchase of the M. J. Meehan preferred stock holdings in Keith-Albee-Orpheum by RKO was considered at a meeting of the board of the latter company yesterday but no action was taken due to the "current world conditions affecting the industry," according to a statement issued by George J. Schaefer, RKO president, following the meeting.

Acquisition of the Meehan shares, representing more than 30,000 of the 64,000 K-A-O preferred shares outstanding, has been under consideration by RKO, Atlas Corp. and Rockefel-

(*Continued on page 4*)

Scully Calls Meeting Of Branch Managers

William A. Scully, vice-president and general sales manager of Universal, has called a meeting of all branch managers to be held Saturday and Sunday at the Hotel Astor. Home office executives will attend.

No Film Legislation Due from Congress

Washington, Nov. 19.—Despite the refusal today of the House of Representatives to adopt an adjournment resolution, no film or other important legislation is expected, barring emergencies.

Confirm Greenthal As Ad Head of U.A.

The expected appointment of Monroe Greenthal as advertising and publicity director of United Artists, succeeding Lynn Farnol, whose resignation will become effective Jan. 1, was confirmed yesterday by Arthur W. Kelly, United Artists vice-president and distribution head.



Monroe Greenthal

Greenthal has been with United Artists for the past 12 years in various advertising, publicity and exploitation capacities. He will leave for Hollywood in a week.

U. S. DECREE WILL BRING REGIONAL RELEASE SYSTEM

Pact Lawyers Confer With Judge Goddard

Assistant U. S. Attorney General Robert Sher will leave today for Washington to confer with his chief, Thurman Arnold, following a conference held yesterday by Federal Judge Henry W. Goddard, with Sher, former Judge Thomas D. Thacher, counsel for Paramount; former Judge Joseph M. Proskauer, counsel for Warner Bros., and J. Noble Braden, executive secretary of the American Arbitration Association, on certain phases of the New York case consent decree.

Following the conferences, last evening, opinion of observers was that approval of the decree by Judge God-

(*Continued on page 4*)

Changes Anticipated in Discussions Held at Paramount Studio

By SAM SHAIN

Next season, the industry will experience something new in the form of regional release dates. At present all companies set national release dates on pictures upon their completion. In September, 1941, however, when the New York case consent decree goes into effect, this practice of national release dates will be abandoned.



Barney Balaban

The anticipated change in trade practices was discussed on the Coast recently by Paramount's theatre associates, home office executives and studio officials. This was revealed by Barney Balaban, president of the company, yesterday.

Behind this looked for change is the fact that under the decree pro-

(*Continued on page 4*)

Break Between Actors and Musicians Seen Imminent

Possibilities of an immediate break between actor unions and the American Federation of Musicians which may tie up the entire entertainment world loomed yesterday as N. Y. Supreme Court Justice Aron Steuer denied a motion for a temporary injunction sought by the American Guild of Musical Artists against the A. F. M. The suit was started several months ago to restrain enforcement of an order by James C. Petrillo, A.F.M. president, requiring all instrumentalist members of AGMA to resign from that organization and join the A.F.M.



James Petrillo

Whether the AGMA-A.F.M. fight will spread to all 4-A unions depends largely on the stand of the Screen Actors Guild, according to informed observers. S.A.G., as well as most of the other 4-A branches, voted to support AGMA when Petrillo issued his original order. However, it was noted at the time that the S.A.G. was lukewarm, and did not desire to engage in another fight with a powerful A.F.L. union similar to the battle with the I.A.T.S.E. in the summer of 1939. The latter fight cost the 4-A branches huge sums and depleted the 4-A treasury entirely.

Petrillo ordered all union musicians to refuse to play when AGMA members performed as soloists with the orchestra. AGMA has called upon all its sister unions in the Associated Actors and Artistes of America, the

(*Continued on page 4*)

Broidy Mono. Sales Head; Golden Leaves

HOLLYWOOD, Nov. 19.—The resignation of Edward A. Golden as general sales manager of Monogram was accepted here today by the board of directors, who announced that Samuel Broidy, Boston franchise owner, would succeed him. Golden said he would announce his plans later this week. He had been a Monogram executive since February, 1937.

Broidy has been in charge of the Boston branch since 1937.

No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, which is Thanksgiving Day in New York State.**

Dietz Launches Big 'Bitter Sweet' Drive

M-G-M, under direction of Howard Dietz, executive in charge of advertising and publicity, has instituted a nationwide newspaper campaign for the new film, "Bitter Sweet." The campaign has attracted the attention of the whole trade, officials state, with its full-page advertisements in daily newspapers and probably will cost $100,000. These big advertisements will be run in about 40 cities.

"Bitter Sweet," which stars Jeanette MacDonald and Nelson Eddy, follows "Escape" into the Radio City Music Hall here tomorrow.

Casey Asks IATSE Locals for Demands

HOLLYWOOD, Nov. 19.—Pat Casey, producers' labor representative, today replied to a letter from I.A.T.S.E. locals asking for reopening of negotiations on conditions which have been held in abeyance since the withdrawal of William Bioff as I.A.T.S.E. representative. Casey asked the locals to put their demands on record, after which he would arrange a date for a conference.

Ten studio locals are included in the request, each asking for reopening of negotiations.

Personal Mention

CHARLES E. McCARTHY, director of advertising and publicity for 20th Century-Fox, returned to the home office yesterday after a visit at the studio.

•

ROBERT WEITMAN, RUSSELL HOLMAN and PAUL RAIBOURN of Paramount will arrive Friday from the company's recent Coast business conferences.

•

EDGAR HATRICK, head of Hearst film interests, and MRS. HATRICK visited SHERIFF and MRS. WILLIAM J. HATRICK at Mauch Chunk, Pa., this week.

•

LOYD HAUSE, manager of the Strand, Sunbury, Pa., and his wife have returned from Hollywood, the trip having been a Comerford Theatres contest award.

•

JOSEPH HEITT, exhibitor in Robinson, Ill., is convalescing after a long illness.

•

ANDRE R. HEYMANN, president of French Films Import, leaves today via United Air Lines for Hollywood.

•

PETE MAYER has returned from the Coast, where he served as production assistant to SAM KATZMAN at Monogram.

•

W. H. STEIN of Music Corp. of America is recovering at the Fifth Ave. Hospital after a leg amputation.

FRANCIS L. HARLEY, 20th Century-Fox managing director in England, is expected here for the Christmas holidays.

•

HANK LINET of Universal will leave today for Chicago.

•

MARTIN QUIGLEY, J. ROBERT RUBIN, STANTON GRIFFS, BARNEY BALABAN, GUY BOLTON, LEE SHUBERT, SAM SHAIN, MAX GORDON, AL RICHARD, TOM CONNORS, I. E. LOPERT, JOSEPH MOSKOWITZ and MORRIS GEST having lunch at Sardi's yesterday.

•

MONROE GREENTHAL, AL MARGOLIES, ARCHE MAYER and IRVING SHAPIRO having lunch yesterday at Lindy's (next to the Rivoli).

•

WILLIAM A. SCULLY, HARRY ARTHUR, NEIL AGNEW, CHARLES M. REAGAN, MAURICE BERGMAN, PAUL LAZARUS, L. J. SCHLAIFER, ARTHUR KELLY, J. J. MILSTEIN, FRED McCONNELL and BENN JACOBSON lunching yesterday at the Tavern.

•

HOWARD DIETZ, RALPH AUSTRIAN, GEORGE SKOURAS, CHARLES SKOURAS, EDMUND C. GRAINGER, J. J. UNGER, MILTON KUSSEL, OSCAR A. DOOB, MAX A. COHEN and LOUIS NIZER at Nick's Hunting Room in the Astor for lunch yesterday.

•

CHARLES STERN, HARRY BRANDT, HAL HORNE and ARTHUR SILVERSTONE lunching yesterday at Lindy's (51st St.).

Newsreel Parade

THE Sino-Japanese war is again a newsreel subject as the bombing of the controversial Burma Road is shown in the new issues. The first draftee called in Boston and football highlights are among the assorted clips included. The contents:

MOVIETONE NEWS, No. 21—Holland House bombed in London; planes and ships rushed for defense. Queens tunnel opens. First draftee in Boston. Old buggies used in oil drilling. Will Rogers memorial in Fort Worth unveiled. Burma Road bombed. Anti-French demonstrations in Siam. Defense planes delivered here. Football.

NEWS OF THE DAY, No. 219—Storms in Michigan and Oregon. Japs bomb Burma Road. First draftee in Boston. Cargo ship launched in California. New army planes in California. Football.

PARAMOUNT NEWS, No. 24—Christmas parade in Toronto. Henry Ford honored by the Holland Society. Vacationists in Florida. Lewis bids C. I. O. good-bye. First draftee in Boston. Football.

RKO PATHE NEWS, No. 24—Japs bomb Burma Road. Americans evacuate China. Plane crash in Brazil. Family day at Camp Dix. New NBC studio started in San Francisco. Quintuplets with Christmas presents. Football.

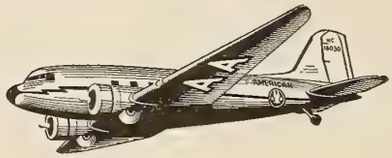
UNIVERSAL NEWSREEL, No. 929—First draftee in Boston. Strike at California plane factory. Storm in Michigan. Buffalo men learn to play Santa Claus. New tunnel opens in New York. Cargo ship launched in California. Fashions. Football.

It's Beefsteak for Loew Men Tonight

The second annual Thanksgiving beefsteak dinner of Loew's New York managers and assistant managers and their wives will be held tonight at the Starlight Roof of the Waldorf-Astoria Hotel. About 350 persons will attend. The floor show will be provided entirely by the managers, and has been dubbed "Loew's-apoppin'." Oscar A. Doob, Loew's advertising and publicity director, is chairman of the entertainment committee.

Marks Rites Today

INDIANAPOLIS, Nov. 19.—Funeral services will be held here tomorrow for J. D. Marks, 61, vice-president of the Olson Circuit, who died yesterday after a long illness. He is survived by his widow, Mrs. Bessie L. Marks, and a niece, Mrs. Pauline Miller, White Plains, N. Y..



CALIFORNIA

American's Southern Sunshine Route

5 FLAGSHIPS DAILY COAST-TO-COAST

★ It's only an overnight skysleeper trip to Los Angeles via American's Famous Sunshine Route! Delicious meals aloft. Stewardess service. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: Rockefeller Center, 18 W. 49th St.; Grand Central, 45 Vanderbilt Ave.

CONVENIENT DEPARTURES

The Sun Country Special 6:45 am
The Plainsman . . . 4:10 pm
The Mercury (Two Sections) 4:45 & 5:10 pm
The Southerner . . . 10:35 pm

AMERICAN AIRLINES Inc.

ROUTE OF THE FLAGSHIPS

Jacob Flax to Retain Republic Franchise

WASHINGTON, Nov. 19.—The Republic franchise here is expected to continue under the present operating setup, following the death on Sunday of Samuel Flax, who, with a brother, Jacob E. Flax, operated the branch. It is anticipated that Jacob Flax will continue in charge, assisted by two sisters, who have assisted in the operation for some time.

Kinsler Leaves Warner

CINCINNATI, Nov. 19. — Ralph Kinsler, manager of the local Warner exchange, has resigned to take over operation of two suburban houses, the Monta Vista and Emery, in which he has purchased an interest. The houses are part of the estate of Elmer Shard, who died a few weeks ago. Kinsler's successor has not yet been selected.

Set Comerford Drive

SCRANTON, Pa., Nov. 19.—The fourth annual Comerford Theatres Managers Drive, to be held in conjunction with the Barney Balaban fifth anniversary, will get under way Thursday and will continue to Dec. 28 with winners of the circuit's four divisions getting free trips to the Balaban dinner in Chicago.

Refugees as Guests

PHILADELPHIA, Nov. 19.—Herman Comer, manager of the Capitol, for the opening of "Night Train" tomorrow night, has arranged to have as guests of the theatre all British refugee children in this vicinity.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame.

Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

MR. AND MRS. LEO

They Celebrate Thanksgiving!



Decree Will Bring Regional Release System

(Continued from page 1)

visions trade showings must be held. Each exchange center sets its own trade showings, and these trade showing dates need not conform with any national schedule or even any neighboring regional schedule. Since no product can be offered for sale, under the terms of the decree, until after the films have been trade shown, release dates cannot be fixed in advance, as at present.

Discussed Production

The Paramount officials also discussed production problems, whether to increase or cut down production schedules, and while no definitive plan is stated to have been decided upon, the executives talked about the advisability of producing a minimum of 48 features for 1940-41. The purpose in setting such a high minimum, it is said, is for the continued maintenance of Paramount's high quality standard at all costs. No letup in production is being considered and there will be no stinting of costs.

In fact, the 1941-42 production program at Paramount, which is already under way, will in all probability cost at least $2,000,000 more than that which was spent on the 1940-41 schedule.

The discussions on the Coast were aimed at understanding one another's problems and to achieve greater cooperation between the makers of the films and those who sell and exhibit them. This purpose, Balaban stated, was fully realized as a result of the discussions.

Paramount's production schedule will be so geared under the direction of Y. Frank Freeman as not to permit any market holes, or so-called "air pockets," with Paramount being determined to meet all the exhibitors' needs, anywhere.

Equity Council Acts To Bar Press 'Leaks'

Faced with constant news "leaks" from council members, the Actors Equity council voted unanimously yesterday that any council member giving unauthorized news to the press would be subject to charges. The council refused to reconsider charges against Maida Reade, who had previously been reprimanded for using the union's files to send out political literature.

In the future, all legitimate stage producers must cover performers for Federal social security and New York State unemployment taxes, the council ruled. Because of some confusion in the legal interpretation of the law, the requirement will be inserted in all contracts.

Ask Short Be Halted

CHICAGO, Nov. 19.—Columbia Pictures was advised today by local attorneys to cease showing "Screen Snapshots No. 2," short subject featuring Parkyarkarkas, claiming the material used by him was lifted from original dialogue by Joe E. Lewis.

Advertising Chance Games as 'Parties'

Willkes-Barre, Pa., Nov. 19.—At least 38 of the 50 chance games reported operating weekly in the local area advertise their attractions in the local newspapers under the guise of parties, since bingo advertising is forbidden by postal regulations. Practically all of the games give out money prizes exclusively.

An increase of games has been reported over last year.

RKO Weighs Buy of KAO-Meehan Stock

(Continued from page 1)

ler interests, variously, for the past six years. The purchase price has been mentioned at between $4,000,000 and $5,000,000, representing a market price of about $110 per share and back dividends of $20 per share.

Purchase of the stock is especially desired by RKO in order to fully consolidate the company, thereby eliminating the necessity of paying approximately $300,000 annually in dividends on the K-A-O preferred in the hands of the public and also permitting consolidation of K-A-O's large cash reserve. K-A-O's average earnings in recent years have been approximately $1,000,000 annually.

Schaefer's statement yesterday is interpreted in the trade as meaning that a purchase of the Meehan shares is not likely now until world market conditions have become normal or largely stabilized.

Show Campaign Short

"A First Line of Defense" a short on the work of New York's voluntary hospitals, will be shown at the Rockefeller Center and 72nd Street newsreel theatres beginning tomorrow, and is scheduled for other theatres. It was produced by March of Time for the United Hospital Campaign.

Pact Lawyers Meet With Judge Goddard

(Continued from page 1)

dard may await Sher's return from Washington, although the nature of Sher's mission was not revealed. From among those who are close to the situation, the hope was expressed that the decree might be approved by the court this week.

At the same time, spokesmen said that Judge Goddard, who has the decree before him for approval, suggested minor changes in the rules of arbitration at the conference, which lasted more than three hours.

The suggested revisions were for purposes of clarification only, it was stated, and are designated to eliminate possible confusion and ambiguity. No opposition to the changes is expected and they are not regarded by the conferees as of sufficient moment to require resubmission of the rules to a joint meeting of the negotiating committees.

There was no suggestion following the meeting that the court would approve the decree with the suggested changes. Presumably, Judge Goddard will give further study to the whole document, the exhibitors' opposition to the decree and their opposing briefs.

Robert L. Wright, assistant U. S. Attorney General, is being considered to head the Government's supervisory bureau which will be set up to enforce the consent decree, Government sources said yesterday. Wright has been active in the Government suit since it was filed in June, 1938.

Meanwhile, Braden has postponed his departure to Saturday on a country-wide trip to establish arbitration boards and offices in the 31 exchange cities, which are scheduled to start functioning Feb. 1.

Ampa to Act Dec. 19 On Its Amendments

Final action on amendments to the Ampa constitution will be taken at a business meeting Dec. 19, according to an announcement yesterday. Ballots on the revisions, which have been approved by a majority of the board of directors, have gone out to the members.

Offer to Buy Stock of Two U. A. Owners

(Continued from page 1)

only stockholder present, the others being represented by their attorneys.

That United Artists, itself, first will attempt to conclude negotiations for the purchase of Goldwyn's stock as part of a settlement of his litigation against the company and will release Goldwyn from his distribution contract with United Artists, was also indicated.

Would Be Guide on Resale

If this settlement is agreed upon, the purchase price established for the Goldwyn stock in that deal would be a guide to the sales price on resale of the stock to Wanger and, also, probably would help to determine the price of the Fairbanks' estate stock which would be acquired by Silverstone.

The Fairbanks' stock was appraised recently at $500,000 by the California estate appraisal department, but the company protested that amount as being too high and not fairly representative of its realization value. It is reported that the company has offered approximately half that amount to Goldwyn for the same number of shares and that Goldwyn has set a price of $350,000 on his one-fifth interest. The company's offer for the Goldwyn stock, however, is purposely lower than the probable market value of the stock due to the fact that consideration for the release of Goldwyn from his contract with the company is involved.

Wanger Seeks Korda Terms

Wanger is reportedly interested in acquiring the Goldwyn interest from the company on the same basis on which a one-fifth interest was sold to Alexander Korda a number of years ago; that is, the purchase price being payable out of dividends from the stock.

Subsequently, if an agreement on price is reached in the Goldwyn negotiations, it is expected to go a long way toward establishing the selling price for the Fairbanks' shares and aiding in a final agreement on their purchase by Silverstone.

Break Between Actors and Musicians Seen Imminent

(Continued from page 1)

parent body, to refuse to perform with the musicians. While denying the motion for a temporary motion, Justice Steuer refused the cross motion to dismiss the complaint and the AGMA attorneys stated that they would seek an early trial.

Justice Steuer pointed out that the A.F.M. had originally refused to accept instrumentalists but when the latter joined another labor union, they became unionists and subject to all union rules. Since the A.F.L. has ruled that the A.F.M. has jurisdiction, the court said, the instrumentalists could not complain:

Concerning Petrillo's control over the A.F.M. the court declared: "Much has been said about the arbitrary character of control given by the A.F.M. constitution to its president. All this is true. It is claimed that this control exposes AGMA members who might join the defendant to great danger from extortion. This danger may exist. But the courts do not draw constitutions and do not select the union to be joined. These are economic problems outside the scope of judicial activity. Relief in such situations must be had from other sources."

Petrillo's drive is generally believed to be directed principally against the Boston Symphony Orchestra, the only major orchestra in the country which is non-union. AGMA members frequently perform with this orchestra and the A.F.M. could stop this practice if all instrumentalists were required to join the musicians' union.

Coast Staffs at Col. Frisco Sales Meet

SAN FRANCISCO, Nov. 19.—In addition to Abe Montague, general sales manager, and Rube Jackter, assistant, attending the Columbia regional sales meeting at the Hotel St. Francis here Saturday and Sunday will be Jerome Safron, West Coast division manager, and the following branch managers and their staffs: R. C. Hill, Denver; J. R. Beale, Portland; L. E. Tillman, San Francisco; Wayne Ball, Los Angeles; Neal Walton, Seattle; W. G. Seib, Salt Lake City.

Change 'Flotsam' Title

HOLLYWOOD, Nov. 19.—"So Ends Our Night" has been selected as the final title for the screen version of Erich Maria Remarque's "Flotsam," it was announced by David L. Loew and Albert Lewin, producers of the film for United Artists release.

S. A. G., Producers Discuss Conditions

HOLLYWOOD, Nov. 19.—The Screen Actors Guild has started negotiations with producers for improved conditions for actors and discussions of problems "raised by the shrinkage of extra work and the changed conditions in the industry resulting from war economies," the Guild announced last night.

The producers have named a committee including E. J. Mannix, Herbert Preston, Mendel Silberberg and Y. Frank Freemen to meet with an actor group to be named at a board of directors meeting on Nov. 25. The Guild announcement stated, "There also are other matters pertaining to working conditions of the actors which the Guild wishes to take up in negotiations with the producers."

A Central Casting Bureau report issued recently showed a shrinkage of 63,727 in the total of days work for extras during the first 10 months of 1940 as compared with the same period in 1939.

Employers' Bonus to Draftees Tax Exempt

WASHINGTON, Nov. 19.—Full or part salaries which may be paid by employers in the motion picture and other industries to employes serving with the Army or Navy, to supplement the wages paid by the Government, were held today by the Commissioner of Internal Revenue to be exempt from social security taxes and deductible from the employer's gross income.

In a ruling designed to reassure employers as to their tax liabilities, the Commissioner held that such payments do not constitute wages for Federal employment tax purposes, but are an allowable deduction for income tax purposes. However, it was warned, employes receiving such contributions must report them as income if they are subject to the income tax laws.

Associates' Program Is Set for Tonight

Jack Ellis, president of the Motion Picture Associates, yesterday announced the entertainment program for the organization's annual Thanksgiving dinner and dance tonight at the Hotel Astor. Among those expected to appear are Glenda Farrell, Mary Brian, Alan Dinehart, Lyle Talbot, James Dunn, Simon Simone, Marian Marsh, Ernest Truex, Edmund Lowe, Victor Moore and Claire Trevor. Henny Youngman will be master of ceremonies.

Reelect Jenkins to Head Atlanta Club

ATLANTA, Nov. 19.—William K. Jenkins, vice-president and secretary of the Lucas & Jenkins circuit has been reelected president of the Atlanta Variety Club.

Other Officers are: Harry G. Ballance, first assistant; C. E. Kessnich, second assistant; R. B. Wilby, treasurer; E. E. Whitaker, property man. Directors are Willis J. Davis, John T. Ezell, J. F. Kirby, R. L. McCoy, David Prince and Paul S. Wilson.

Balaban Considering 'Star' Rating Agreement After Talk with Dietz

Reestablishment of the "gentlemen's agreement" prohibiting the advertising use of film critics' "star" ratings was discussed by Howard Dietz, M-G-M advertising and publicity director, with Barney Balaban, Paramount president, following Balaban's return from the Coast early this week. Balaban now has the matter under consideration.

Dietz is one of the most vigorous champions of the agreement, which was virtually discarded when the Paramount Theatre resumed "star" rating advertising recently in protest against its use by the Rivoli, Globe and other Broadway theatres. The matter also became a subject for the attention of the M.P.P.D.A. directors recently but no action was taken due to Balaban's absence.

The agreement has since been reaffirmed by the major company advertising and publicity directors but Robert M. Gillham, Paramount advertising and publicity director, regards it as meaningless so long as it fails to include all Broadway houses.

Four-star advertising has been a feature of the campaign on "Fantasia" at the Broadway Theatre since its opening.

Marx Brothers' 3 Paths Divide for Present Time

Hollywood, Nov. 19

WITH the completion of "Go West" for M-G-M, the Marx Brothers will go their several ways for the time being. Groucho is planning a trip East by auto, with radio work in the offing, Harpo intends a concert tour with Oscar Levant, and Chico expects to organize a band to tour theatres and dance halls.

• •

Derwin Abrahams, assistant director on Harry Sherman's "Hopalong Cassidy" series, has been promoted to director and will guide Sherman's next, "Border Vigilantes," which will star William Boyd . . . "Here We Go Again" has been set as the final title for Monogram's "East Side Kids" story, formerly called "C. C. C. Camp" . . . RKO is extending the contract of young Tim Holt to the 1941-'42 season in which he will continue to star in a series of westerns.

• •

JED BUELL'S "Misbehaving Husbands" has started, with RALPH BYRD, HARRY LANGDON and BETTY BLYTHE in principal roles. WILLIAM BEAUDINE is directing the film, which will be distributed by Producers Releasing Corp. . . . ANGNA ENTERS, dance pantomime star, may be starred by SOL LESSER in her own original story "The Green Hour". . . . B. P. SCHULBERG will produce "Angel Cake," story by JAY DRATLER and A. DORIAN OTVOS, for Columbia. . . . GENE TIERNEY gets the role of "Ellie May" and MARJORIE RAMBEAU that of "Sister Bessie" in 20th Century-Fox's "Tobacco Road."

• •

Bill Watters, former New York publicist, has sold to George Weeks his original story, "Tumbledown Ranch in Arizona," for a Monogram production starring John King, Ray Corrigan and Max Terhune. The picture is based on the song of the same title written by Watters, and adopted by the University of Arizona as its official song.

• •

OLIVIA DE HAVILLAND and GEORGE BRENT will be starred in Warners' "Miss Wheelwright Discovers America," in which JEFFREY LYNN will be featured. . . . CHARLES WINNINGER has been given a term contract by M-G-M. . . . Warners has extended the contract of HARLAN THOMPSON, associate producer. . . . RKO has extended the contracts of WENDY BARRIE and RUTH WARRICK. . . .SUZANNE KAAREN gets the lead opposite BELA LUGOSI in the Producers' Releasing Corp. film, "The Devil Bat."

• •

HOWARD HUGHES has leased space at the Samuel Goldwyn studio for production of an untitled picture based on the life of Billy the Kid which HOWARD HAWKS will direct. GREGG TOLAND has been borrowed from Goldwyn as cinematographer. . . . OLYMPE BRADNA, formerly at Paramount, has been given a term contract by Warners and next goes goes into "Knockout," which will star WAYNE MORRIS.

Dietz Idea May Be M-G-M Musical Film

Since like other Loew executives, he also contributes production ideas and suggestions to the M-G-M studio, many of which are adopted, Howard Dietz, director of advertising and publicity for Loew's, does not consider it momentous that his company's studio may make a musical from an idea which he has submitted.

As executive in charge of advertising and publicity, Dietz spends considerable time in California, having offices there as well as in New York, so that there is no necessity for his having to dwell on the Coast nor does that fact mean that he has a desire to go into film production, he stated yesterday.

'Rockne' Campaign Wins Ad Club Honor

Warners' campaign on "Knute Rockne—All American" has been selected by the Advertising Club of New York for exhibition as an example of the "best presentation of subject matter for purposes which the contents are intended and for good printing." The press book has been selected by the American Institute of Graphic Arts for exhibition beginning Nov. 25.

35 New Films Now Shooting In Hollywood

HOLLYWOOD, Nov. 19.—Thirty-five pictures were before the cameras this week as 10 started and 12 finished. Twelve are being prepared, and 73 are being edited.

The tally by studios:

Jed Buell Productions

Started: "Misbehaving Husbands."

Columbia

Finished: "Legacy."
In Work: "Penny Serenade," "The Face Behind the Mask," "Blondie Goes Latin."

Lesser-Lubitsch

In Work: "That Uncertain Feeling."

M-G-M

Finished: "Keeping Company," "Maisie Was a Lady."
In Work: "Come Live With Me," "Wild Man of Borneo," "Ziegfeld Girl," "Men of Boystown."
Started: "Bad Man."

Monogram

Finished: "Under Texas Stars."
Started: "Trail of the Silver Spurs."

Producers Releasing

Started: "Billy the Kid's Gun Justice."

Paramount

Finished: "Reaching for the Sun."
In Work: "I Wanted Wings," "Lady Eve," "Shepherd of the Hills," "The Road to Zanzibar," "New York Town."

RKO

Finished: "The Saint in Palm Springs."
In Work: "A Guy, a Girl and a Gob," "Along the Rio Grande."

Republic

Finished: "Behind the News," "Bowery," "Lone Star Raiders."
Started: "Robin Hood of the Pecos," "Wyoming Wildcat."

Roach

In Work: "Topper Returns."

Rowland

Finished: "Cheers for Miss Bishop."

20th Century-Fox

In Work: "Western Union."
Started: "Tall, Dark and Handsome," "Murder Among Friends," "The Road to Rio."

Universal

Finished: "Where Did You Get That Girl?"
In Work: "Trail of the Vigilantes," "Back Street," "Who's Crazy Now?"
Started: "Nice Girl."

Warners

Finished: "Father and Son."
In Work: "The Wagons Roll at Night," "Footsteps in the Dark," "Strawberry Blonde," "Far Horizon," "The Sea Wolf."

'Sarajevo' at Belmont

"Sarajevo," French film distributed here by Leo Films, will start an indefinite run at the Belmont today. The title has been shortened from "Mayerling to Sarajevo."

'Westerner' With $6,400 Tops Seattle

SEATTLE, Nov. 19.—"The Westerner" in its second week at the Liberty took $6,400. "The Great Dictator" in its second week at the Fifth Avenue ended its run with $6,000 for the week at advanced prices. "Mark of Zorro" was good for $6,500 at the Paramount. The weather was cooler and rainy.

Estimated takings for the week ending Nov. 15:

"The Great Dictator" (U. A.)
FIFTH AVENUE—(2,500) (75c-$1.15) 7 days, 2nd week. Gross: $6,000. (Average, $7,000)
"The Westerner" (U. A.)
LIBERTY — (1,800) (30c-40c-50c-65c) 7 days. 2nd week. Gross: $6,400. (Average, $5,000)
"Third Finger, Left Hand" (M-G-M)
"Yesterday's Heroes" (20th-Fox)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days. 3rd week. Gross: $3,200. (Average, $4,000)
"Seven Sinners" (Univ.)
"Father Is a Prince" (W. B.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $5,400. (Average, $6,000)
"A Dispatch from Reuter's" (W. B.)
PALOMAR — (1,500) (20c-30c-40c-50c) 7 days. Vaudeville headed by Six Cressonians. Gross: $4,500. (Average, $5,000)
"The Mark of Zorro" (20th-Fox)
"Young People" (20th-Fox)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. Gross: $6,500. (Average, $6,000)

'Sinners,' Scores $6,000 in St. Louis

ST. LOUIS, Nov. 19.—"The Mark of Zorro" and "Too Many Girls" scored a strong $14,000 at the Ambassador. "Seven Sinners" and "Hit Parade of 1941" tallied $6,000 at the Missouri.

Estimated takings for the week ending Nov. 14:

"The Great Dictator" (U. A.)
LOEW'S STATE—(3,162) (75c-$1.10) 7 days, 2nd week. Gross: $8,600. (Average, 28c-39c-44c-56c scale, $13,000)
"The Mark of Zorro" (20th-Fox)
"Too Many Girls" (RKO)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $14,000. (Average, $11,500)
"Blondie Plays Cupid" (Col.)
"Dispatch from Reuter's" (W. B.)
FOX—(5,038) (28c-39c-44c-56c) 7 days. Donald Novis and revue on stage. Gross: $9,500. (Average, $11,000)
"Seven Sinners" (Para.)
"Hit Parade of 1941" (Rep.)
MISSOURI—(3,514) (28c-39c-44c-56c) 7 days. Gross: $6,000. (Average, $4,000)
"Youth Will Be Served" (20th-Fox)
"Devil's Pipeline" (Univ.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $3,300. (Average, $2,600)

Organize Ontario Film Buying Pool

TORONTO, Nov. 19. — Consolidated Theatres Association has been organized by a group of Toronto neighborhood theatre owners as the third film buying pool in Ontario, one of the prime movers being Harold Kay, manager of the Fox Theatre, who was a director of the Independent Theatres Association of Ontario until a few weeks ago.

Harry S. Dahn, former circuit supervisor, will be the manager of the Consolidated group. An office is being opened in the Film Exchange Building.

Warner Party Friday

Warner will be hosts at a cocktail party Friday afternon at the Hotel Gotham for Priscilla Lane.

Feature Review

"The Great Plane Robbery"

(Columbia)

Harold Greene's story of the abduction by underworld characters of several passengers on an airliner en route to California from New York has been transformed into an exciting film which moves at a fast pace.

Jack Holt, Stanley Fields, Vicki Lester, Noel Madison, Granville Owen, Theodore Von Eltz, Hobart Cavanaugh, Milburn Stone and Paul Fix are the chief players. Holt is employed by an insurance company to guard an ex-convict, Madison, who is insured for a large amount. Both are kidnaped by racketeers, led by Fields, who overtake an airplane on which they are traveling. The outlaws, also holding the other passengers, seek to obtain ransom from the insurance company for Madison but their plans are thwarted by the timely arrival of the police.

Lewis D. Collins directed Albert DeMond's adaptation with emphasis on the melodramatic. Larry Darmour produced.

Running time, 53 minutes. "G."*

**"G" denotes general classification.*

'Arise' Gets Good $12,500, Cincinnati

CINCINNATI, Nov. 19.—"Arise My Love" had a big $12,500 week at the RKO Palace. "The Long Voyage Home" took $7,500 at the RKO Grand, but other houses were below average.

"They Knew What They Wanted" (RKO)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $9,400. (Average, $12,000)
"Arise, My Love" (Para.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $12,500. (Average, $10,000)
"The Mark of Zorro" (20th-Fox)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days, 2nd week. Gross: $4,300. (Average, $5,000)
"Too Many Girls" (RKO)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days. Gross: $4,000. (Average, $5,500)
"The Long Voyage Home" (U. A.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross $7,500.
"The Westerner" (U. A.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days. 2nd week. Gross: $3,400. (Average, $4,500)
"Girl from Avenue A" (20th-Fox)
"Queen of the Yukon" (Mono.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"Night Train" (20th-Fox)
"Up in the Air" (Mono.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $700. (Average, $800)
"A Dispatch from Reuter's" (W. B.)
KEITH'S (1,500) (33c-40c-50c) 7 days. Gross: $2,900. (Average, $5,000)

'Wanted' Scores $10,800 in Buffalo

BUFFALO, Nov. 19.—"They Knew What They Wanted" and "Mexican Spitfire Out West" drew $10,800 at the Twentieth Century. "Escape" and "Dancing on a Dime" made $14,500 at the Buffalo.

Estimated takings for the week ending Nov. 16:

"Escape" (M-G-M)
"Dancing on a Dime" (Para.)
BUFFALO—(3,489) (35c-40c-60c) 7 days. Gross: $14,500. (Average, $12,000)
"The Great Dictator" (U. A.)
GREAT LAKES—(3,000) (75c-$1.10) 7 days, 2nd week. Gross: $8,900. (Average at 35c-55c, $7,500)
"Captain Caution" (U. A.)
"The Outsider" (All.)
HIPPODROME—(2,100) (35c-50c) 7 days. Gross: $5,200. (Average, $6,800)
"They Knew What They Wanted" (RKO)
"Mexican Spitfire Out West" (RKO)
TWENTIETH CENTURY—(3,000) (30c-40c) 7 days. Gross: $10,800. (Average, $7,500)
"Seven Sinners" (Univ.)
"Slightly Tempted" (Univ.)
LAFAYETTE—(3,000) (30c-40c) 7 days. Gross: $6,300. (Average, $6,300)

Providence Gives 'Pastor' Big $8,400

PROVIDENCE, Nov. 19.—"Arise, My Love" and "Melody and Moonlight," paired at the Strand, were good for $10,500, while the RKO Albee's twin bill—"Pastor Hall" and "Mexican Spitfire Out West"—drew $8,400.

Estimated takings for the week ending Nov. 13-14:

"Pastor Hall" (U. A.)
"Mexican Spitfire Out West" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $8,400. (Average, $6,000)
"The Great Dictator" (U. A.)
LOEW'S STATE—(3,232) (75c-$1.10) 7 days. 2nd week. Gross: $8,000. (Average, $11,000)
"Seven Sinners" (Univ.)
"Father Is a Prince" (W. B.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $6,300. (Average, $7,000)
"Arise, My Love" (Para.)
"Melody and Moonlight" (Rep.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $10,500. (Average, $6,000)
"Up in the Air" (Mono.)
METROPOLITAN—(3,045) (28c-39c-55c-75c) 3 days. Stage show with Gene Krupa and orchestra, Andrews Sisters, Frankie Conville, Sonnie Dale and Joey Rardin. Gross: $7,000. (Average, $7,000)
"A Dispatch from Reuters" (W. B.)
"A Little Bit of Heaven" (Univ.)
CARLTON—(1,526) (28c-39c-50c) 7 days. 2nd week. Gross: $2,500. (Average, $3,500)
"Frontier Vengeance" (Rep.)
"Margie" (Univ.)
FAY'S — (1,800) (15c-28c-39c) 7 days. Gross: $2,300. (Average, $2,500)
"Dance, Girl, Dance" (RKO) (3 days)
"Yesterday's Heroes" (20th-Fox) (3 days)
"The Westerner" (U. A.) (4 days)
"Private Affairs" (Univ.) (4 days)
EMPIRE — (2,200) (20c-28c) 2nd run. Gross: $1,600. (Average, $1,700)

'Dictator' Garners $7,900 in Montreal

MONTREAL, Nov. 19.—"The Great Dictator" turned in a gross of $7,900 at advanced prices for its first week at the Orpheum. Third week of "North West Mounted Police" at the Loew's held up to $8,000.

Estimated takings for the week ending Nov. 15:

"Moon Over Burma" (Para.)
"The Quarterback" (Para.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $8,000. (Average, $8,000)
"North West Mounted Police" (Para.)
LOEW'S—(2,800) (30c-40c-50c) 7 days, 3rd week. Gross: $8,000. (Average, $8,000)
"The Great Dictator" (U. A.)
ORPHEUM—(919) (75c-$1.10) 7 days. Gross: $7,900. (Average, $5,000)
"Down Argentine Way" (20th-Fox)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $8,900. (Average, $9,000)

'Mounted' Is Frisco Smash With $23,000

SAN FRANCISCO, Nov. 19.—"North West Mounted Police" took $23,000 in the first week at the Warfield, as business generally improved, with favorable weather. "Mark of Zorro", paired with "Dancing on a Dime," drew $16,500 at the Fox.

Estimated takings for the week ending Nov. 12-15:

"Laddie" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $14,500. (Average, $15,000)
"The Mark of Zorro" (20th-Fox)
"Dancing on a Dime" (Para.)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $16,500. (Average, $16,000)
"The Mummy's Hand" (Univ.)
"Before I Hang" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days. Gross: $7,800. (Average, $8,000)
"Hullabaloo" (M-G-M)
"Escape" (M-G-M)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days. Gross: $13,500. (Average, $11,500)
"The Westerner" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 4th week. Gross: $6,200. (Average, $8,000)
"Arise My Love" (Para.)
"World in Flames" (Para.)
ST. FRANCIS (1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $5,500. (Average, $6,000)
"Northwest Mounted Police" (Para.)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 day. Gross: $23,000. (Average, $12,000)
"Overture to Glory" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $700. (Average, $1,000)

'Neighbors,' Show $8,500, Kansas City

KANSAS CITY, Nov. 19. — Cold weather hurt business somewhat the last half of the week. The Tower made the best comparative showing with "Friendly Neighbors" and Faith Bacon on the stage at $8,500. "North West Mounted Police" gave the Newman $9,000 in its third week. "The Mark of Zorro" did $7,000 at the Esquire and Uptown.

Estimated takings for the week ending Nov. 13-14:

"The Mark of Zorro" (20th-Fox)
ESQUIRE—(800) (28c-44c) 7 days. Gross: $3,100. (Average, $2,200)
"Hullabaloo" (M-G-M)
"Girls Under 21" (Col.)
MIDLAND—(4,000) (28c-44c) 7 days. Gross: $8,100. (Average, $9,500)
"North West Mounted Police" (Para.)
NEWMAN—(1,900) (31c-36c-50c) 7 days, 3rd week. Gross: $9,000. (Average, $7,000)
"Angels Over Broadway" (Col.)
"Tugboat Annie Sails Again" (W. B.)
ORPHEUM—(1,500) (28c-44c) 7 days. Gross: $5,800. (Average, $5,000)
"Friendly Neighbors" (Rep.)
TOWER—(2,200) (30c) 7 days. Stage: Faith Bacon, with Nelson & Evans, Dave Tannen, and Hanlon & Clark. Gross: $8,500. (Average, $6,000)
"The Mark of Zorro" (20th-Fox)
UPTOWN — (2,000) (28c-44c) 7 days. Gross: $3,900. (Average, $3,000)

Cordell Wins Appeal

The Appellate Division of the New York Supreme Court has ruled in favor of the Cordell Theatre Corp., former operator of the Cort, Brooklyn, and defendant in a suit of Avanti Theatre, Inc., owner of the theatre, which charges the defendant with breach of lease, involving the removal of certain equipment. Louis Nizer represented Cordell.

THE WORLDWIDE AUTHORITY ON TALENT VALUES

The seventh annual edition of FAME is now in preparation. Edited by Terry Ramsaye, it will be published about January 1st, 1941, and will analyze and summarize the year's outstanding talent successes. Among its features it will present the box office champions of 1940 with complete analysis and personnel credits . . . the money-making stars of the season, evaluated and reported upon by the exhibitor showmen of the world . . . the radio champions of 1940 as polled by Motion Picture Daily among the editors of the daily newspapers of American . . . Fame and Radio—an analysis of the extent to which the air waves lean on Hollywood for talent.



A QUIGLEY PUBLICATION

FAME

The Audit of Personalities

For Use of Studio

Mexico City, Nov. 19.—Several local radio stations are working a novelty in the way of reducing expenses. They are deducting five per cent from their artists' salaries "to pay for the use of the studios and microphone."

The performers have to take this, economic conditions being as they are.

Two Seek Permits For New Stations

WASHINGTON, Nov. 19.—Two new applications for high frequency stations have filed with the Federal Communications Commission, the Piedmont Publishing Co. asking a construction permit for a 46,700-kilocycle station at Winston-Salem, N. C., to cover 4,600 square miles with a population of 500,684, and the South Bend *Tribune* requesting a permit for a 47,100-kilocycle station at South Bend, Ind., to cover 4,330 square miles with a population of 448,330.

Applications also have been filed by Stations WBAX, Wilkes-Barre, Pa., for an increase of power from 100 to 250 watts; WMAZ, Macon, Ga., for extension of time from limited to unlimited; KXYZ, Houston, for change of frequency from 1,440 to 1,290 kilocycles and increase of power from 1,000 to 5,000 watts; WFOR, Hattiesburg, Miss., for increase of power from 100 to 250 watts, and KIRO, Seattle, for increase of power from 1,000 to 10,000 watts.

Federation Radio Program Nov. 28

The Federation for the Support of Jewish Philanthropic Societies will sponsor a half-hour radio program over WJZ of the NBC network on Thursday, Nov. 28, from 7:30 to 8 P. M.

The broadcast will be held at the Ritz Theatre, with stage, screen and radio celebrities participating, and with George M. Cohan as master of ceremonies. Edward Lasker is chairman of the radio committee.

Howard Gates New Majestic President

CHICAGO, Nov. 19.—Howard Gates, vice-president of Detrola Radio Co., Detroit, has been elected president and a director of Majestic Radio Corp. to succeed Walter Glen Scott who resigned. Majestic is owned in part by Dumont Television, a Paramount affiliate.

Epoch Sues CBS

CBS was named defendant yesterday in a suit filed in N. Y. Supreme Court by Epoch Producing Corp. for an injunction, accounting and damage. The plaintiff charges CBS with using the name "Birth of a Nation" for a WABC broadcast on Sept. 2. This title, the complaint alleges, belongs to the plaintiff, owner of the film.

Heads Reading Union

READING, Pa., Nov. 19.—Frank L. Diefenderfer has been reelected president of the local musicians' union for the 21st time.

Off the Antenna

WMCA will go on a 24-hour, seven days a week, schedule Sunday, Dec. 1. From 1-7 A.M. each night the "WMCA All Night Club" will be aired. With the new schedule, WMCA will have neither sign-on nor sign-off. Alan Courtney, who conducted "Milkman's Matinee" over WNEW on several occasions will be master of ceremonies.

Jazz music will be discontinued at 2 A.M. and the remainder of the morning hours will be devoted to soft music, waltzes, poetry readings, impromptu guest appearances and request recordings. Between 6-7 A.M. there will be a "help-wanted" feature with employment leads furnished by the New York State Employment Service. At 5 A.M. there will be non-sectarian sunrise services with guest ministers furnished by the National Conference of Christians and Jews. Song writers will compose music on the air, and there will be weather forecasts, temperature reports and news flashes. At the beginning, there will be considerable experimentation with different types of program material.

The station has started tests with its new transmitter and expects to go on the air with it shortly.

• • •

Purely Personal: *Bill Kostka, manager of the NBC press department, returned to his desk yesterday after a 10-day illness with a throat ailment. . . . O. B. Hanson, NBC chief engineer, left for San Francisco yesterday to supervise building of the new KGO-KPO studios there. . . . Sammy Kaye will be guest on Major Bowes' "Capitol Family" over CBS Sunday. . . . Elizabeth Bergner will be heard on Arch Oboler's "Everyman's Theatre" over NBC-Red Friday, Nov. 29 at 9:30 P.M.*

• • •

Joseph Creamer, WOR promotion director, has prepared a 24-page booklet called "How Department Stores Use Radio to Sell." Containing research results of a survey made in 14 cities, the booklet emphasizes the value of radio as a department store medium. The booklet has additional weight because WOR is operated by Bamberger's of Newark.

• • •

Ten stations in Georgia, North and South Carolina, Tennessee and West Virginia will join NBC Dec. 15 as the Southeastern Group exclusively for the Blue network, William S. Hedges, vice-president in charge of stations, disclosed yesterday. This will give the Blue 86 affiliates, and NBC a total of 218.

The stations are WJHL, Johnson City, Tenn., 880 k.c., 1,000 watts; WHIS, Bluefield, W. Va., 1,410 k.c., 1,000 watts day, 500, night; WGAC, Augusta, Ga., 1,210 k.c., 250 watts; WCBT, Roanoke Rapids, N. C., 1,200 k.c., 250 watts; WEED, Rocky Mount, N. C., 1,420 k.c., 250 watts; WMFD, Wilmington, N. C., 1,370 k.c., 250 watts, day, 100, night; WMFR, High Point, N. C., 1,200 k.c., 250 watts; WGNC, Gastonia, N. C., 1,420 k.c., 250 watts; WCOS, Columbia, S. C., 1,370 k.c., 250 watts; and WHKY, Hickory, N. C., 1,370 k.c., 250 watts.

• • •

Program News: *A 12:05 A.M. news period will be sponsored by Bond Stores for one week over WABC, beginning Dec. 2. In addition, Bond will sponsor three periods on "Morning Almanac" over WABC the same week. . . . Brown & Williamson Tobacco Co. is adding 13 stations for "Wings of Destiny" over NBC-Red for a total of 85. . . . Acme White Lead & Color Works will sponsor "Smiling Ed McConnell" over 24 NBC-Red stations Saturdays, at 11:45 A.M., beginning Jan. 11.*

• • •

NBC television has resumed publication of weekly schedules, although the programs remain sporadic. The hockey game at Madison Square Garden was televised last night; on Friday there will be a film program, with "A Bride for Henry," a feature, and "Land of Evangeline," a short, and on Sunday a professional football game will be televised from Ebbets Field. NBC emphasizes that it is merely "continuing its technical tests."

Warner Party Friday

NEW HAVEN, Nov. 19.—The Warner Club will hold its annual dinner-dance at the Waverly Inn next Friday. About 400 guests are expected, representatives of the theatre and exchange offices, and theatre staffs. Cy Barrett is in charge of entertainment, and Robert Anderson and Russell Clark are general chairmen.

Canadian Dividend

TORONTO, Nov. 19.—United Amusement Corp., Ltd., affiliated with Famous Players Canadian Corp., has declared a dividend of 40 cents per share on both the "A" and "B" common stock, payable Nov. 30 to stockholders of record Nov. 15. United Amusement operates 28 theatres in several Canadian cities.

Union Carries Fight to Public

St. Louis, Nov. 19.

MEMBERS of Local 143 of the operators union are carrying the union case directly to the patrons in its fight with the Ozark, Osage and Kirkwood, suburban theatres. The operators, protesting the managements' refusal to renew contracts calling for two operators in a booth, are canvassing the homes of the theatres' patrons. They have been picketing the three houses since Sept. 1.

Ask Change in Tax System in Mexico

MEXICO CITY, Nov. 19.—A change in the tax levying system for local film theatres back to a daily settlement, a method that was dropped some years ago, is provided in a bill before Congress. The present method is a box-office check during the last three months of the year to strike an average as a basis for computing imposts during the following year.

Congressman Lamberto Zuñiga, author of the bill, thinks that under the present system theatres are not paying enough taxes. A daily settlement, he believes, would give the Municipal Treasury a better break and provide jobs for 80 civic fiscal inspectors.

Stricter sanitation and safety regulations for theatres throughout Mexico have been made effective by the Public Health Department. The regulations demand modern sanitation services, proper ventilation, and that exits be kept clear at all times.

Taylor Is Reelected To Toronto Board

TORONTO, Nov. 19.—N. A. Taylor of 20th Century Theatres has been reelected chairman of the Motion Picture Section of the Toronto Board of Trade which has reorganized for the 1940-41 year. Other officers are as follows: Vice-chairman, Louis Rosenfeld, Columbia Pictures; directors, J. P. O'Loghlin, 20th Century-Fox Films, Ben Geldsaler of Famous Players; Harry Alexander, Lansdowne Theatre; Secretary-treasurer, F. D. Tolchard.

The conciliation committee of the board includes: Wolfe Cohen, Warners; Louis Rosenfeld and H. Allen, Columbia; L. M. Devaney, RKO Pictures; Ben Geldsaler and T. J. Bragg, Famous Players; O. R. Hanson of Hanson Theatres; Sam Fine of Bloom and Fine Theatres; Harry Alexander, Nat Taylor and F. Freedman, representing independent exhibitors, and Ed Wells, Film Board of Trade.

Industry Leaders Take 'Stars' Boxes

More than $20,000 worth of box seats, the total capacity of Madison Square Garden, has been sold for the seventh annual "Night of Stars" to be held Nov. 27, according to an announcement by Nathan Straus, chairman. Proceeds will go to the United Jewish Appeal.

Among the box holders are Mr. and Mrs. Leo Spitz, Mr. and Mrs. Barney Balaban, Mr. and Mrs. Maurice Silverstone, Mr. and Mrs. Nate Blumberg, David Bernstein, David O. Selznick, Jules Brulatour, Louis Nizer, George Skouras, Mayor and Mrs. Fiorello H. LaGuardia, Mr. and Mrs. Nathan Straus, Senator Robert F. Wagner, Dr. and Mrs. Stephen S. Wise and Mr. and Mrs. Ted Lewis.

R. C. Cronin Wins Contest

Raymond C. Cronin of the Paramount, Springfield, Mass., has been awarded first prize of $50 in a "productions idea" contest conducted by Nathan E. Goldstein, president of Western Massachusetts Theatres. George Laby of the Victory, Holyoke, received second prize, $25.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 101 NEW YORK, U. S. A., FRIDAY, NOVEMBER 22, 1940 TEN CENTS

FILE COPY DO NOT REMOVE

Goddard Signs Decree; Effective Now in Part

Trade Showing and Block-of-Five Clauses Go in Effect Sept. 1, 1941; Van Vechten Veeder Named Appeals Chairman

Federal Judge Henry W. Goddard approved the consent decree without change on Wednesday afternoon. After signing the order entering the decree, Judge Goddard named Van Vechten Veeder, retired New York attorney, as chairman of the industry's national board of arbitration appeals consisting of three members.

The other two members of the board will not be named by the court until January. Salary of the chairman is $20,000 per year, and that of the other two members is $17,500.

All provisions of the decree except the trade showings and block-of-five sales clauses are effective immediately. Those two provisions become effective Sept. 1, 1941, or with the sale of product for the 1941-'42 season.

Prospects of continued litigation over the decree from exhibitor sources were borne out immediately following its signing. The I.T.O.A. of New York instructed its attorney, Milton Weisman, to study the legal basis for an appeal of Judge Goddard's order to the U. S. Circuit Court of Appeals and, that failing, to prepare some form of corrollary action to test the legality of the decree. The filing of anti-trust suits against the five consenting companies for triple damages under the Sherman Act also is being considered by numerous I.T.O.A. members.

William E. Sims, New York attorney for the M.P.T.O.A., said he would confer with Ed Kuykendall, president, during the next week on the possibility of that organization bringing anti-

(*Continued on page 4*)

Veeder a Former U. S. Judge Here; Is Noted Lawyer

VAN VECHTEN VEEDER, appointed first chairman of the national arbitration appeal board for the industry, is a member of the New York law firm of Burlingham, Veeder, Clark & Hupper.

He was a Federal judge in the U. S. District court for the Eastern District of New York from 1911 to 1917. He was a member of Harvard University Research in International Law, of the International Maritime Commission, the Maritime Law Association of the U. S., and was president of the latter from 1930 to 1936.

He is a member of the American Law Institute, the Association of the

(*Continued on page 4*)

Thanksgiving Box-Office Up Over Country

All Broadway Theatres Get Big Grosses

Business yesterday took a big spurt in the 32 states where Thanksgiving was observed. It was an unofficial holiday in several other states.

Cities reporting gains were Los Angeles, Chicago, Dallas, Washington, Boston, Buffalo, Indianapolis, Milwaukee, Kansas City, Seattle, Atlanta, Baltimore, Albany, Providence.

On Broadway, all theatres did well. After the Macy parade, which drew an estimated 1,000,000 spectators, the Times Square crowds began flocking to film shows about 2 o'clock. Matinees were big particularly at the Radio City Music Hall, Roxy, Paramount and Capitol.

"Bitter Sweet" opened to an estimated $20,000 for the day at the Music Hall, with a stage show, after more than $65,000 for the third week of "Escape." The Roxy reported its biggest Thanksgiving, with around $12,000 for the opening day of "Tin Pan Alley," second only to the record of "Alexander's Ragtime Band" at the house.

"Northwest Mounted Police" with a stage show at the Paramount did an estimated $49,000 in its second week and about $16,000 in the first two days of the third week, including yesterday.

"The Great Dictator" in its fifth week did about $38,000 at the Capitol and $11,700 at the Astor, starting its sixth week with estimated grosses of $16,000 and $3,500, respectively, for Wednesday and Thursday.

Considered unusual for a holiday was yesterday's preview of "The Letter" at the Strand at four performances. This boosted the second week's gross of "Tugboat Annie Sails Again" and a stage show to about $23,000.

Para. Considering Stock Retirement

Paramount is discussing with bankers the retirement of its 136,586 shares of $100 par 6 per cent cumulative preferred stock. The redemption would be made from cash on hand of more than $20,000,000 and by long term bank loans.

'U' Sales Drive in Honor of Scully

W. A. Scully, Universal vice-president and general sales manager, will be honored again next year with a sales drive by the company's domestic distribution organization.



W. A. Scully

Plans for the drive, which is expected to start early in January and continue three months, will be made by Universal district managers at a two-day meeting at the Hotel Astor here starting tomorrow. Nate Blumberg, president, will address them on the drive and Scully will discuss Universal's new product.

Universal's sales for the current season are running approximately 15 per cent ahead of last season, when a new record for domestic sales was established, according to officials.

Universal's annual new season product conferences will be held at the studio about the middle of next month. Blumberg will leave for the Coast in a week for preliminary conferences with Cliff Work, studio head; Matthew J. Fox, vice-president, and other studio officials. Scully will leave for the Coast Dec. 13 and other home office executives will leave about the same time.

McCoy Heads New W. B. Sales District

Ralph McCoy, Warner Atlanta branch manager, has been promoted by Gradwell L. Sears, general sales manager, as manager of a newly created Southeastern district, with supervision over Atlanta, Charlotte and Memphis. McCoy's headquarters will continue in Atlanta.

Sears announced these additional changes: Thomas Gilliam, Chicago manager, succeeds McCoy as Atlanta manager; Sidney Rose, Omaha manager, named Chicago manager; C. K. Olson, Minneapolis manager, to Omaha manager; Arthur Anderson, Des Moines manager, to

(*Continued on page 4*)

AFM-Actor Fight Off for Present

Possibility of an immediate outbreak of hostilities between the various actor unions on behalf of the American Guild of Musical Artists against the American Federation of Musicians vanished temporarily Wednesday when attorneys for AGMA and the A. F. M. signed stipulations maintaining the status quo.

AGMA's appeal from Justice Aron Steuer's denial of its request for a temporary injunction will be heard in the Appellate Division of the N. Y. Supreme Court next Friday.

A rift between actors and musicians appeared imminent Tuesday when Justice Steuer vacated a stay of A. F. M. President James C. Petrillo's

(*Continued on page 7*)

Reading Exhibitors Bring Trust Suit

PHILADELPHIA, Nov. 21.—Henry Sork and Harry Block, operating theatres in Reading and Schuylkillhaven, yesterday filed an anti-trust suit in U. S. District court here seeking $62,700 triple damages from six theatre groups and all major distributors. Discrimination is charged on the ground they have been compelled to wait from a week to 37 days longer for films than their competitors. An injunction is sought.

Maxwell's Circuit Control in Balance

London, Nov. 21.—A complete change in control of Associated British Circuit, following the recent death of John Maxwell, head of the company, is understood to be in the offing here. American interests are said to have been approached.

It is believed the board of directors are willing to consider offers for complete acquisition, with the probability that the highest bidder could obtain control of the important British circuit.

U. A. 'Monte Cristo' Booked for Capitol

The Capitol has booked "Son of Monte Cristo," United Artists release, for a December opening date not yet set. The picture is the first U. A. release to be booked by the Capitol in several years, with the exception of "The Great Dictator." "Third Finger, Left Hand," M-G-M film, will follow "Dictator" at the house and "Son of Monte Cristo" will go in thereafter.



Fly the Skyway
Closer to the Sun

to LOS ANGELES

$149.95

TWA 4-Engine Stratoliners fly faster, smoother, higher — *closer to the sun* all the way to all the west! Only 15 hours, 38 minutes, from New York to Los Angeles. 3 other fast TWA flights to California offer convenient departure times on the *Route of the Stratoliners!*

Information, Reservations: Call Your Travel Agent or

MURRAYHILL 6-1640

70 East 42nd Street
New York City

TRANSCONTINENTAL & WESTERN AIR, INC.

TWA
The TRANSCONTINENTAL Airline

Personal Mention

GEORGE J. SCHAEFER, RKO president, left for the Coast by plane Wednesday night. He will be away about two weeks.

•

AMBASSADOR JOSEPH P. KENNEDY arrived from the Coast by plane on Wednesday to spend Thanksgiving with his family. He plans to vacation at Palm Beach.

•

EARL J. HUDSON, president of United Detroit Theatres, has returned to Detroit from a visit in Hollywood.

•

KAY KAMEN is due Monday from the Coast. He will soon start a speaking tour of advertising clubs in the Northwest.

•

HAL ROACH, JR., has returned to Hollywood from a month's stay in New York.

•

PEGGY GOLDBERG, who has been doing publicity work for REGINA CREWE, was married Tuesday to DR. GEORGE BLATT of Brooklyn.

LEO SPITZ is scheduled to leave Hollywood on Tuesday for Chicago.

•

LEONARD GOLDENSON, LEON NETTER and SAM DEMBOW will arrive today from the Coast and Dallas.

•

HANK LINET of Universal will return from Chicago today.

•

ALDYTH REICHENBACH, secretary to BARNEY BALABAN, has recovered from injuries incurred in a recent automobile accident and will be back at her office on Monday.

•

ALBERT E. SINDLINGER, March of Time advertising and promotion director, left Wednesday with his family for a two-week vacation in Ohio.

•

LEE CHURCHIN of the RKO transportation department on the Coast was here Wednesday on his way back to the studio from Baltimore.

•

WALT DISNEY has returned to the Coast.

Army Plan Rebuff Angers Whitehall

LONDON, Nov. 21.—The embarrassment of the British Government at the industry's refusal to cooperate in the Army Council plan for the supply of films for the troops was indicated in a meeting called by Sir John Anderson, Lord Privy Seal, in which industry representatives were asked to elaborate on the trade's attitude.

Officials of the Cinematograph Exhibitors Association and the Kinematograph Renters Society (distributors) attended. Trade representatives had previously informed the Government that in their opinion present agencies are sufficient to handle the situation without the setting up of a Government-controlled unit.

Rose Is En Route Here from England

David Rose, managing director for Paramount in England, is en route to this country on the *Excambion,* which sailed from Lisbon on Tuesday, and is due here next Thursday.

Rose, who will arrive with his family, is expected to spend about two months here before returning to his post in London, combining business with a vacation.

Schless Off Sunday For Latin America

Robert E. Schless, recently appointed general foreign manager of Warners, will leave by plane on Sunday for Mexico City on the first leg of a visit to Warner branches throughout Latin America. This is his first such visit since taking his new post. It is expected that he will be gone several months.

Nat Holt Returns

Nat Holt, RKO Theatres division manager, with headquarters in Cleveland, left Wednesday after a few days here booking holiday shows.

Myers to Address Indiana Exhibitors

INDIANAPOLIS, Nov. 21.—Speakers at the 14th annual convention and trade show of Associated Theatre Owners of Indiana at the Hotel Antlers here next Monday and Tuesday will include Abram F. Myers, general counsel of Allied States, and Sidney Samuelson, Allied Information Department committee chairman of National Allied; Troy G. Thurston of Indianapolis, president of the Indiana Association of Certified Public Accountants, who will discuss new tax laws, and H. M. Richey, director of exhibitor relations for M-G-M.

Displays will be set up by many firms, including the following; M-G-M, RCA Manufacturing Co., Burch Manufacturing Co., Kroehler Manufacturing Co., American Seating Co., Confection Cabinet Corp., and Indiana Theatre Equipment Corp.

Bennett Sisters Due

Constance, Joan and Barbara Bennett are due from Hollywood today by plane for the funeral of their mother, Adrienne Morrison, 57, at Old Lyme, Conn., tomorrow.

lindy's INC.

RESTAURANTS

1626 BROADWAY 1655

(Next to the Rivoli Theatre) (51st Street Corner)

For over 20 years the luncheon and dinner place for Motion Picture People

Sole agents in New York for FAMOUS

BLUM'S ALMONDETTES

from

San Francisco, California

At Long Last

Chicago, Nov. 21.—The Chicago censor board yesterday issued a permit for the showing of "Scarface," which has been banned for the past eight years. Henri Elman is the distributor of the film. The Howard Hughes film was released in 1932 by U. A.

AGVA-Circuit Deal Decision Up Today

Final decision on whether vaudeville circuit and film presentation houses will sign a contract with the American Guild of Variety Artists will be made at a meeting between executives and Hoyt Haddock, AGVA executive secretary, today.

Details were settled several months ago but the illness of Major L. E. Thompson, RKO theatre executive, prevented the closing of the contract. Subsequently, circuit heads objected to being held responsible for the good standing in AGVA of performers.

Theatre officials point out that where hiring is done through licensed agents, the latter should be responsible. In addition, AGVA is now undergoing a reorganization, with the Associated Actors and Artistes of America, the parent body, in virtual control. The 4-A control will continue until Jan. 31 or longer, if necessary, Haddock said.

Greenthal Leaves For Coast Sunday

Monroe Greenthal, newly designated advertising and publicity director for United Artists, will leave for Hollywood by plane on Sunday for conferences with Maurice Silverstone, chief of the company's world-wide operations, and other U. A. executives and producers.

Elmer Wahl Dead

CLEVELAND, Nov. 21.—Elmer H. Wahl, secretary and treasurer of the Musicians Union, Local No. 4, was found dead in his automobile here after his car bumped into the rear of another in traffic. Detectives said Wahl, who was 48, died of natural causes, probably of a heart attack.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame.

Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

America's two greatest salesmen selling your big holiday show to 52,858,100 listeners every week from coast to coast!



Listen to 'em build up that big feud for the publicity payoff. Will "Love Thy Neighbor" open in Waukegan? Will it open in Old Orchard Beach? Will Benny get top billing? Or vice versa? Those are the questions millions are asking . . . those same millions who will flock to see the biggest pre-selling job the industry has ever seen?

JACK BENNY FRED ALLEN

"LOVE THY NEIGHBOR"

with **MARY MARTIN** • Verree Teasdale and **ROCHESTER**

Original Screen Play by William Morrow and Edmund Beloin, Ernest Pagano and Z. Myers • A Paramount Picture

Produced and Directed by **MARK SANDRICH**

You can tell a Paramount Picture by the applause!



Paramount Pictures

Fight Film Act Only Industry Law Enacted

WASHINGTON, Nov. 21.—With the 76th Congress having virtually completed its program of legislation for the current session, a check indicates that the repeal of the 1912 ban on the interstate transportation of fight films was its only contribution to film legislation.

Since Jan. 3, 1939, 22 measures dealing with motion pictures and approximately two score affecting radio were introduced, but with few exceptions received no consideration.

The feature of the two sessions which comprised the 76th Congress, from the standpoint of the film industry, of course, was the block booking bill introduced by Senator Matthew M. Neely (Dem., W. Va.), on Jan. 4, 1939. After extended hearings before the Senate Interstate Commerce Committee and a bitter fight in the committee and on the floor, it was passed by the Senate July 17, 1939. The measure then went to the House of Representatives, where it was the subject of extended hearings before the Interstate and Foreign Commerce Committee in May and June, after which it was referred to a subcommittee for revision. Largely because negotiations for a consent decree in the New York suit then appeared to be drawing to a successful conclusion and the decree would deal with the booking problem, further action on the measure was deferred.

Neely Divorce Bill

Meanwhile, Senator Neely also introduced a bill to divorce exhibition from other branches of the industry, on April 9, last, and held preliminary hearings before the Interstate Commerce Committee on April 22 and May 16, but no further action was taken.

The only bill finally enacted, the fight film measure, was introduced by Senator W. Warren Barbour (Rep., N. J.) on April 3, 1939. With no opposition, the bill was made the subject of short formal hearings and was passed by Senate and House practically without debate.

Only one other film measure received consideration, a resolution introduced March 9 last, by Senator Pat McCarren (Dem., Nev.) to investigate schedules adopted by Secretary of the Interior Harold L. Ickes for use of the national parks and public lands by film producers. The heavy fees demanded by the Secretary aroused resentment in the industry, which was reflected in Congress, and the Senate adopted the McCarren resolution May 24. It is not expected, however, that the inquiry will be undertaken until next Winter.

Mostly 1939 Measures

Most of the motion picture bills, dealing chiefly with block booking, copyright and the creation of a Fine Arts agency in the Government, were introduced during the 1939 session. During the current session, the only measures introduced were bills dealing with copyright, by Senator Elbert D. Thomas (Dem., Utah) and the Neely divorce bill, and resolutions by Senators McCarren and Henry F. Ashurst (Dem., Ariz.) for investigation of the Interior charges, and by Representative John J. Delaney (Dem., N. Y.) to make provision for newsreels in the Congressional press galleries.

Little Action on Radio

The record of action on radio legislation is even less impressive. Most important of the many measures introduced was a resolution submitted on Aug. 23 of this year by Senator Charles W. Tobey (Rep., N. H.) for investigation of the broadcasting situation, prepared after lengthy hearings on the reappointment of Thad H. Brown to the Federal Communications Commission had gone into the Paramount-CBS deal and the RCA monopoly case of 1932.

The only other measure to receive consideration was a bill by Senator Edwin C. Johnson (Dem., Colo.) to ban liquor advertising over the radio, which was given a favorable committee report but failed of passage.

All of the bills pending at the time of adjournment will die and will have to be reintroduced next session if they are to be further pressed.

Feature Reviews

"Escape to Glory"

(Columbia)

Hollywood, Nov. 21.

COLUMBIA'S "Escape to Glory" is about as thrill-packed a piece of suspenseful entertainment as has come out of Hollywood for some time. For almost its entire running time, it gripped the preview audience such as few melodramas have. It is the story of a group of characters, mostly Americans, embarking on a British freighter from England, attempting to get home before war is declared. Two days out, they hear the news on the ship's radio that England has declared war on Germany. The captain keeps a midnight rendezvous at sea during which the freighter is armed. A German submarine attempts to sink the ship, but is beaten off and the freighter finds safety in a fog bank. The sub lurks about, attempting to await the lifting of the fog.

How the sub is disposed of provides a rousing climax.

Pat O'Brien and Constance Bennett have the principal roles, with John Halliday, Melville Cooper, Alan Baxter, Edgar Buchanan, Marjorie Gateson, Francis Pierlot, Jessie Busley, Stanley Logan, Frank Sully, Erwin Kalser, Don Beddoe and Leslie Denison.

P. J. Wolfson wrote an admirable screenplay from the story by Sidney Biddell and Frederic Frank. John Brahm's direction is the essence of conciseness. Samuel Bischoff's initial production effort at Columbia is a credit to him.

Running time, 60 minutes. "G."* VANCE KING

"Among Human Wolves"

(Film Alliance of the U. S.)

Based on the story, "Lone Wolves," by Charles Robert Dumas, this British production depicts spy and counter-spy activities of British and German agents, respectively, in Berlin. The "wolves" referred to in the title are the espionage agents, so called because of their unpleasant duties which include, as in this instance, the betrayal of friends. It is in that respect that the story takes a turn typical of such films, a British woman spy falling in love with a German.

The cast comprises all British players, the principals being Basil Radford, Sylvia St. Claire, Thorley Walters and Peter Gawthorne. Radford and Miss Claire are seen as brother and sister employed by the British Government to procure an important military weapon in Berlin. Walters is the son of the German general loved but betrayed by Miss Claire. The British eventually succeed as the film ends abruptly. John Baxter directed.

Running time, 58 minutes. "G."*

** "G" denotes general classification.*

Mendenhall Heads Omaha Variety Club

OMAHA, Nov. 21.—Ted Mendenhall, Paramount exchange manager, is the chief barker of the Omaha Variety Club for 1941, succeeding Morris Cohn.

Other officers are Walter Green, first assistant; Sam Epstein, second assistant; M. L. Stern, treasurer. Edward Shafton, reelected secretary. Canvassmen are Glenn Rogers, John Gillin, Harry Shumow, Robert Ballantyne, Don McLucas and Cohn. National delegates are Green and Epstein and Green is the national board member for 1941.

McCoy Heads New W. B. Sales District

(Continued from page 1)

Minneapolis manager; Elmer Tilton, former Des Moines manager, who resigned some time ago, returns to his former post.

R. H. Dunbar, Pittsburgh salesman, has been promoted to Cincinnati manager, succeeding Ralph Kinsler, who has resigned to enter exhibition. Harry Goldman, Chicago country salesman is promoted to city salesman, with Harry Mandel, Chicago booker, replacing him.

Goddard Signs U. S. Decree, Effective Now

(Continued from page 1)

trust suits against the consenting companies, based upon the consent decree. He expressed the opinion that exhibitors do not have the legal right to appeal from Judge Goddard's order approving the decree.

Allied of New York, an M.P.T.O.A. affiliate, will take every legal means at its command to oppose the decree, Max A. Cohen, president, said.

Others Consider Opposition

The Pacific Coast Conference of Independent Theatre Owners, the Robb & Rowley Circuit and possibly several Paramount theatre associates also are among exhibitor groups studying the advisability of further legal opposition to the decree, lending additional credence to the repeated exhibitor prediction that "a flood of law suits" will follow signing of the decree.

The three non-consenting companies, Universal, Columbia and United Artists, as parties to the Government suit but not to the decree itself, have the undisputed legal right to appeal from Judge Goddard's order entering the decree, but the chances of their doing so are slight.

A high Universal executive said that the company definitely would not oppose the decree in any way but would occupy itself with fighting the Government's amended complaint against the company.

Col. and U. A. May Join Univ.

Schwartz & Frohlich, attorneys for Columbia, and O'Brien, Driscoll & Raftery, United Artists counsel, declined to comment on their strategy, but there were indications that both companies would follow a course similar to Universal's. The three companies will appear before Judge Goddard on Dec. 5 to oppose the Government's amended complaint against them.

Operation of the local arbitration boards will begin early in February. J. Noble Braden, executive secretary of the American Arbitration Association, will leave for the Coast tomorrow on the first leg of his trip to the 31 exchange cities in which local arbitration boards will be established. He expects to have the local offices established by Christmas.

Veeder Former U. S. Judge in New York

(Continued from page 1)

Bar of the City of New York, the American Historical Society, New York State Historical Association, the Mediaeval Academy of America, the St. Nicholas Society and the Holland Society. He is a member of the Century, Grolier, City and Midday clubs. He is the author of "Legal Masterpieces," and a contributor to law reviews and to "Select Essays on Anglo-American Legal History."

Veeder was born in Schenectady, N. Y., July 4, 1867.

Roach Signs McLaglen

HOLLYWOOD, Nov. 21.—Victor McLaglen has been signed to star in "Broadway Limited," Hal Roach production for U. A.

'Dictator' Is Boston Lead With $32,100

BOSTON, Nov. 21.—"The Great Dictator" led the town for its second week, taking $32,100 at Loew's State and Orpheum, $14,100 at the former and $18,000 at the latter. "Arise My Love" coupled with "Dancing on a Dime" drew a strong $16,000 at the Metropolitan.

Estimated takings for the week ending Nov. 13:

"That Gang of Mine" (Mono.)
"Spring Parade" (Univ.)
"Yesterday's Heroes" (20th-Fox)
KEITH BOSTON—(3,200) (25c-35c-40c-55c) "That Gang" 4 days with Three Stooges on stage and Ciro Rimac rhumba-conga band, Alzior Camargo in "Pan American Revue." Double screen bill 3 days. Gross: $8,000. (Average, $8,000)
"Long Voyage Home" (U. A.)
"Little Bit of Heaven" (Univ.)
"Seven Sinners" (Univ.)
"Mexican Spitfire Out West" (RKO)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) "Long Voyage" bill, held over, 2 days; "Seven Sinners" bill, 5 days. Gross: $11,000. (Average, $16,000)
"Arise My Love" (Para.)
"Dancing on a Dime" (Para.)
METROPOLITAN—(4,367) (25c-35c-40c-55c) 7 days. Gross: $16,000. (Average, $15,500)
"East of the River" (W. B.)
"Always a Bride" (W. B.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $7,500. (Average, $7,500)
"East of the River" (W. B.)
"Always a Bride" (W. B.)
FENWAY—(1,320) (25c-35c-40c-55c) 7 days. Gross: $4,000. (Average, $4,500)
"Knute Rockne—All American" (W. B.)
"Calling All Husbands" (W. B.)
SCOLLAY—(2,500) (25c-44c-55c) 7 days. Gross: $2,800. (Average, $4,000)
"The Great Dictator" (U. A.)
LOEW'S STATE—(3,000) (75c-$1.10) 7 days, 2nd week. Gross: $14,100. (Average, $12,000)
"The Great Dictator" (U. A.)
LOEW'S ORPHEUM—(2,900) (75c-$1.10) 7 days, 2nd week. Gross: $18,000. (Average, $17,500)

'Girls,' Stage Show $15,000, Baltimore

BALTIMORE, Nov. 21.—Bad weather hurt business. "Too Many Girls" and a stage revue at the Hippodrome drew $15,000. "The Mark of Zorro" drew $9,000 at the New.

Estimated takings for the week ending Nov. 14:

"The Great Dictator" (M-G-M)
CENTURY — (3,000) (85c-$1.10) 7 days. 2nd week. Gross: $9,700. (Average, $10,000)
"Seven Sinners" (Para.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $10,000. (Average, $9,000)
"Mark of Zorro" (20th-Fox)
NEW — (1,581) (15c-28c-35c-55c) 7 days. 2nd week. Gross: $9,000. (Average, $7,000)
"Moon Over Burma" (Para.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $8,000. (Average, $12,000)
"Too Many Girls" (RKO)
HIPPODROME — (2,205) (15c-28c-39c-44c-55c-66c) 7 days. "All Girls Revue" on stage, featuring Judy Canova. Gross: $15,000. (Average, $14,000)

Operators' Fee Bill Tabled in Pittsburgh

PITTSBURGH, Nov. 21.—The projected ordinance to license all 16mm operators has been indefinitely tabled by the City Council, following a mass protest by civic, educational, scientific and recreational organizations against the measure introduced by Lawrence J. Katz, I.A.T.S.E. agent.

The bill would have required six months' apprenticeship for all projectionists and an annual license fee.

'Dictator' Scores $12,000, Milwaukee

MILWAUKEE, Nov. 21.—Best grosser in a week which started out strong by virtue of the Wisconsin Education Association convention, but which bogged down because of heavy gales and near zero weather, was "The Great Dictator" with $12,000 at Fox's Palace.

Estimated takings for the week ending Nov. 13-14:

"A Dispatch from Reuters" (W. B.)
"Spring Parade" (Univ.)
WARNER—(2,000) (30c-40c-55c) 7 days. Gross: $5,800. (Average, $4,500)
"The Great Dictator" (U. A.)
PALACE — (2,400) (75c-$1.10) 7 days. Gross: $12,000. (Average, $4,000)
"Melody and Moonlight" (Rep.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Tom Brown, Arleen Whalen, Alexander D'Arcy, Judith Allen. Gross: $10,000. (Average, $6,500)
"North West Mounted Police" (Para.)
"Dr. Kildare Goes Home" (M-G-M)
STRAND—(1,400) (44c-65c) 7 days. Gross: $3,800. (Average, $1,500)
"Mark of Zorro" (20th-Fox)
"Young People" (20th-Fox)
WISCONSIN—(3,200) (30c-40c-55c) 7 days. Gross: $6,000. (Average, $5,500)

'Zorro' Pittsburgh Smash With $11,000

PITTSBURGH, Nov. 21.—"The Mark of Zorro" was a smash at the Fulton with $11,000, while "Angels Over Broadway" and "A Little Bit of Heaven" at the Alvin took $6,500.

Estimated takings for the week ending Nov. 14:

"Angels Over Broadway" (Col.)
"A Little Bit of Heaven" (Univ.)
ALVIN — (1,800) (28c-39c-55c) 7 days. Gross: $6,500. (Average, $6,000)
"The Mark of Zorro" (20th-Fox)
FULTON—(1,700) (28c-44c) 7 days. Gross: $11,000. (Average, $5,000)
"Escape" (M-G-M)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $19,000. (Average, $13,000)
"Arise My Love" (Para.)
RITZ—(800) (28c-39c-55c) 7 days, 2nd week. Gross: $2,500. (Average, $4,000)
"The Great Profile" (20th-Fox)
"Gay Caballero" (20th-Fox)
SENATOR—(1,700) (28c-44c) 7 days. Gross: $2,200. (Average, $2,000)
"Moon Over Burma" (Para.)
STANLEY—(3,600) (28c-44c-60c) 7 days. On stage: George Jessel, Lois Andrews, Jean Parker, Rochelle Hudson, Isabel Jewell, Lya Lys, Evelyn Farney, Jean Gary. Gross: $16,500. (Average, $18,000)
"I Want a Divorce" (Para.)
"Flowing Gold" (W. B.)
WARNER—(2,000) (28c-44c) 7 days. Gross: $5,000. (Average, $5,000)

'Carson' and Bowes Unit $11,300, Omaha

OMAHA, Nov. 21.—"Kit Carson" at the Orpheum, plus a Major Bowes unit on the stage, drew $11,300. "Foreign Correspondent" took $7,100 at the Omaha with "Young People."

Estimated takings for the week ending Nov. 13-14:

"Seven Sinners" (Univ.)
"Father Is a Prince" (W. B.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $3,200. (Average, $4,000)
"Foreign Correspondent" (U. A.)
"Young People" (20th-Fox)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $7,100. (Average, $6,000)
"Kit Carson" (U. A.)
ORPHEUM—(3,000) (40c-55c) 7 days. Stage: Major Bowes' Talent Parade. Gross: $11,300. (Average, $7,200)

Testimony Completed

MIDDLETOWN, Conn., Nov. 21.—Testimony in the cases of S & S Theatre Corp. and Middlesex Theatre, Inc., against Salvatore Adorno, their former partner and general manager, has been completed.

Dramatic School

Cleveland, Nov. 21

CHILDREN'S classes in stage acting have been started at Loew's Park Theatre by Manager Arnold Gates, who plans to hold the morning sessions weekly.

The course, free to children, includes lessons in stage presence, characterization, pantomime and voice culture, and is instructed by a Cleveland theatrical veteran.

'July', Cugat Band $17,500 in Detroit

DETROIT, Nov. 21.—"Christmas in July," and a stage show featuring Xavier Cugat and his orchestra drew $17,500 at the Michigan. The Fox reported $18,000 with "The Mark of Zorro" and "A Little Bit of Heaven."

Estimated takings for the week ending Nov. 14:

"Spring Parade" (Univ.)
"Nobody's Children" (Col.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $5,500. (Average, $5,500)
"Boom Town" (M-G-M)
"The Quarterback" (W. B.)
FISHER—(2,700) (15c-50c) 7 days. Gross: $6,800. (Average, $7,000)
"The Mark of Zorro" (20th-Fox)
"A Little Bit of Heaven" (Univ.)
FOX—(5,000) (15c-35c-40c-55c) 7 days. Gross: $18,000. (Average, $15,000)
"Christmas in July" (Para.)
MICHIGAN—(4,000) (15c-39c-44c-55c) 7 days. On stage: Xavier Cugat and orchestra with stage show headed by Abbott & Costello. Gross: $17,500. (Average, $12,000)
"Knute Rockne—All American" (W. B.)
"World in Flames" (Para.)
PALMS—(3,000) (25c-39c-55c) 7 days. Gross: $7,500. (Average, $7,000)
"Escape" (M-G-M)
"Hullabaloo" (M-G-M)
UNITED ARTISTS—(2,000) (20c-39c-44c-55c) 7 days, 2nd week. Gross: $8,500. (Average, $10,000)

'Zorro' at $7,200 Tops Indianapolis

INDIANAPOLIS, Nov. 21.—"The Mark of Zorro" and "Yesterday's Heroes" drew $7,200 at the Indiana in a week of moderately good grosses. "Northwest Mounted Police" took $7,500 at the Circle.

Estimated takings for the week ending Nov. 14-15:

"North West Mounted Police" (Para.)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $7,500. (Average, $6,000)
"The Mark of Zorro" (20th-Fox)
"Yesterday's Heroes" (20th-Fox)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $7,200. (Average, $5,500)
"The Great Dictator" (U. A.)
LOEW'S—(2,800) (75c-$1.10) 7 days, 2nd week. Gross: $4,000. (Average, $7,000)
"The Great Profile" (20th-Fox)
LYRIC — (2,000) (28c-33c-44c) 7 days. Stage: Russ Morgan's band and show. Gross: $9,300. (Average, $8,000)

600 at Associates 21st Annual Dinner

About 600 members and guests of the Motion Picture Associates attended the organization's 21st annual Thanksgiving dinner and dance Wednesday night at the Hotel Astor. This was an increase of about 100 over last year's attendance. Henny Youngman was master of ceremonies and introduced stage and screen personalities. Jack Ellis extended the Associates' official welcome.

'Escape' Hits Good $19,400, Philadelphia

PHILADELPHIA, Nov. 21. — The downtown houses experienced another slow week. Several rainy days also dampened things with the showing of "Ice-Capades of 1941" at the Arena still another competitive factor. "Escape" gave the Stanley $19,400 and "Tugboat Annie Sails Again," brought the Stanton $5,300.

Estimated takings for the week ending Nov. 13-15:

"The Great Dictator" (U. A.)
ALDINE—(1,400) (75c-$1.14) 7 days, 3rd week. Gross: $14,100. (Average, $9,000)
"Third Finger, Left Hand" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $3,800. (Average, $2,600)
"Arise, My Love" (Para.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $7,000. (Average, $13,000)
"I Want a Divorce" (Para.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville, including Ken Murray, Dixie Dunbar and her Rhythmaires, Milt Herth Trio, Betty Atkinson, Wynn Murray, Park & Clifford. Gross: $17,000. (Average, $14,000)
"The Great Profile" (U. A.)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days, subsequent run, with vaudeville including St. Claire & Yvonne, Marnee, Collins & Peterson, Senator Murphy, Roy Smeck, Jerry & Lilyan. Gross: $6,900. (Average, $6,900)
"Rhythm on the River" (Para.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $11,500. (Average, $13,000)
"Hired Wife" (Univ.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,600. (Average, $3,000)
"Dispatch from Reuter's" (W. B.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,100. (Average, $4,500)
"Escape" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $19,400. (Average, $14,000)
"Tugboat Annie Sails Again" (W. B.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $5,300. (Average, $4,500)

'River,' Stage Show $19,000, Cleveland

CLEVELAND, Nov. 21.—"East of the River" grossed $19,000 at the Palace with N. Y. "Streets of Paris Revue" on the stage. "Escape" drew an excellent $14,500 at the State.

Estimated takings for the week ending Nov. 14:

"Knute Rockne—All American" (W. B.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 3rd week. Gross: $2,500. (Average, $4,000)
"Seven Sinners" (Univ.)
WARNERS' HIPPODROME—(3,800) (33c-39c-47c) 5 days. Gross: $4,800. (7-day Average, $11,000)
"I Married Adventure" (Col.)
"Men Against the Sky" (RKO)
LAKE—(900) (28c-40c) 7 days. Gross: $1,300. (Average, $1,500)
"East of the River" (W. B.)
RKO PALACE—(3,100) (33c-47c-55c) 7 days. "Streets of Paris" Revue on stage. Gross: $19,000. (Average, $13,500)
"Escape" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $14,500. (Average, $11,000)
"Great Dictator" (U. A.)
LOEW'S STILLMAN—(1,900) (75c-$1.10) 7 days, 2nd week. Gross: $10,000. (Average, $4,000)

Rearranges Schedule

COLUMBUS, O., Nov. 21.—The RKO Grand, playing a double feature policy on a grind basis, will rearrange its schedule to permit the main feature to be shown at 9:15 P. M., beginning Nov. 29, thus enabling patrons arriving late to see both features before the house closes.

MOTION PICTURE DAILY'S BOOKING CHART

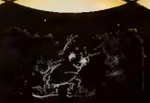
Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Oct. 25	West of Abilene (O) Girls Under 21 (D)	Hullabaloo (C) 109 *Frank Morgan* *Billie Burke*		Christmas in July (C) 4007 World in Flames (D)	Young Bill Hickok (O) 052 *Roy Rogers*	They Knew What They Wanted (D) *C. Laughton* *Carole Lombard*	The Great Profile (C) 111 *John Barrymore*		Seven Sinners (D) *Marlene Dietrich* *John Wayne*	Tugboat Annie Sails Again (D) *M. Rambeau* *Alan Hale*
Nov. 1	Blondie Plays Cupid (C) *Penny Singleton* *Arthur Lake*	Escape (D) 108 *Norma Shearer* *Robert Taylor*		Dancing on a Dime (C) 4008 *Grace McDonald* *Robert Paige*	Who Killed Aunt Maggie (D) *John Hubbard* *Wendy Barrie*	Li'l Abner (C) 109 Too Many Girls (M)			I'm Nobody's Sweetheart (D) 5036 Devil's Pipeline (D) 50-52	Always a Bride (C) *Rosemary Lane*
Nov. 8		Bitter Sweet (M) 110 *MacDonald* *Nelson Eddy*	Chamber of Horrors (D) *Leslie Banks*	Arise My Love (D) 4009 *Claudette Colbert* *Ray Milland*	Friendly Neighbors (M) *Weaver Bros. and Elviry*	Mexican Spitfire Out West (C) 111 *Lupe Velez*	Mark of Zorro (D) 117 *Tyrone Power* *Linda Darnell*		Sandy Gets Her Man (C) *Baby Sandy* *Stuart Erwin*	East of the River (D) *John Garfield* *Brenda Marshall*
Nov. 15	Beyond the Sacramento (O) *Bill Elliott* *Evelyn Keyes*	Gallant Sons (D) 111 *Jackie Cooper* *Bonita Granville*	Take Me Back to Oklahoma (O) *Tex Ritter*	Three Men from Texas (O) 4050 *William Boyd* *Russell Hayden*	Trail Blazers (O) 3 *Mesquiteers* Melody Ranch (O)		Street of Memories (D) 102 *Lynne Roberts*		One Night in Tropics (M) *Nancy Kelly* *Alan Jones*	South of Suez (D) *George Brent* *Brenda Marshall*
Nov. 22	Escape to Glory (D) Lone Wolf Keeps a Date (D)	Little Nellie Kelly (M) 112 *Judy Garland* *George Murphy*	Phantom of Chinatown (D) *Keye Luke*		Texas Terrors (O) *Don "Red" Barry* *Julie Duncan*	You'll Find Out (M) 108 The Fargo Kid (O)	Youth Will Be Served (D) 119 *Jane Withers* *Jane Darwell*	Long Voyage Home (D) *John Wayne* *Thomas Mitchell*	Meet the Wildcat (D) 5023 *Ralph Ballamy*	The Letter (D) *Bette Davis* *Herbert Marshall*
Nov. 29	Ellery Queen, Master Detective (D) *Ralph Bellamy*	Comrade X (C) 113 *Clark Gable* *Hedy Lamarr*	West of Pinto Basin (O) *Ray Corrigan* *Terhune & King*		Meet the Missus (C) *Higgins Family*		Tin Pan Alley (M) 120 *Alice Faye* *Betty Grable*	Blackout (D) *Conrad Veidt* *Valorie Hobson*	The Bank Dick (C) *W. C. Fields* *Una Merkel*	Lady With Red Hair (D) *Miriam Hopkins* *Richard Ainley*
Dec. 6	Thundering Frontier (O) *Chas. Starrett* *Iris Meredith*	Go West (M) *Marx Brothers* *Diana Lewis*		Night at Earl Carroll's (C) *Ken Murray* *Lillian Cornell*	Border Legion (O) *Roy Rogers* *Gabby Hayes*		Charter Pilot (D) 118 *Lloyd Nolan* *Lynn Bari*		Margie (C) 5026 *Tom Brown* *Nan Grey*	Invitation to a Murder (D) 520 *Thomas Mitchell* *Jeffrey Lynn*
Dec. 13	Great Plane Robbery (D) *Jack Holt* *Vicki Lester*	Dr. Kildare's Crisis (D) *Lew Ayres* *L. Barrymore*	C. C. C. Camp (D) *Bobby Jordan* *Leo Gorcey*	Texas Rangers Ride Again (O) *John Howard* *Ellen Drew*	Barnyard Follies (C) *Mary Lee* *Rufe Davis*		Murder Over New York (D) 121 *Sidney Toler* *Ricardo Cortez*		Trail of the Vigilantes (D) *Franchot Tone* *B. Crawford*	She Couldn't Say No (C) 571 *Roger Pryor* *Eve Arden*
Dec. 20	Phantom Submarine (D) *Anita Louise* *Bruce Bennett*	Keeping Company (D) *John Shelton* *Ann Rutherford*	Her Father's Daughter (D) *Edith Fellows* *E. Evans*		Behind the News (D) *Lloyd Nolan* *D. Davenport*	No, No, Nanette (M) *Anna Neagle* *Zasu Pitts*	Jennie (D) 122 *V. Gilmore* *William Henry*		Give Us Wings (D) *Dead End Kids*	Here Comes the Navy (D) 525 *James Cagney* *Pat O'Brien*
Dec. 27	Arizona (O) *Jean Arthur* *William Holden*	Flight Command (D) *Robert Taylor* *Ruth Hussey*	Under Texas Stars (O) *Tex Ritter*	North West Mounted Police (D) 3946 Love Thy Neighbor (C)	Lone Star Raiders (O) 3 *Mesquitters*	Kitty Foyle (D) *Ginger Rogers* *Dennis Morgan*	Chad Hanna (D) 123 *Henry Fonda* *Dorothy Lamour*	Thief of Bagdad (D) *Sabu* *June Duprez*	Invisible Woman (C) *J. Barrymore* *Virginia Bruce*	Santa Fe Trail (D) 551 *Errol Flynn* *O. De Havilland*
Jan. 3	This Thing Called Love (C) *R. Russell* *Melvin Douglas*		You're Out of Luck (D) *Frankie Darro*	Second Chorus (C) *Fred Astaire* *Paulette Goddard*	Bowery Boy (D) *Dennis O'Keefe* *L. Campbell*		Hudson's Bay (D) 115 *Paul Muni* *Virginia Field*	Son of Monte Cristo (D) *Joan Bennett* *Louis Haywood*	Where Did You Get That Girl (D) Lucky Devils (D)	Four Mothers (D) 503 *Lane Sisters* *Jeffrey Lynn*
Jan. 10				Doomed Caravan (O) *Bill Boyd* *Russell Hayden*					San Francisco Docks (D) *Burgess Meredith*	

Every Well-Dressed Marquee is Wearing PARAMOUNT "SHORTS"!



November 8
Fascinating Journeys
'RIVER THAMES—YESTERDAY'
Technicolor



November 15
Gabby Color Cartoon
'THE CONSTABLE'
Technicolor



November 15
Popeye The Sailor
'WITH POOPDECK PAPPY'



November 22
Paragraphic
'SEEING IS BELIEVING'

100% BOX OFFICE TESTED!

AFM-Actor Fight Off for Present

(Continued from page 1)

order which required musicians to refuse to play with concert instrumentalists unless the latter resigned from AGMA and joined the A. F. M. Petrillo's order was issued in August but, on Aug. 29, Justice Ferdinand Pecora stayed its enforcement.

On Wednesday, Petrillo asserted that the order would take effect forthwith. He said that radio stations, film companies, concert halls and musicians' union locals had been notified several months ago and Justice Steuer's order permitted immediate enforcement. The stipulation late Wednesday afternoon, however, again withholds effect of the order, this time until an appeal can be heard and decided.

Cora Witherspoon, AGMA executive secretary, said Wednesday that the board meeting that morning had been "routine," and no appeal to other actor unions for support was planned.

Film Supply Swiss Theatres' Problem

WASHINGTON, Nov. 21. — With American product still retaining a high degree of popularity with Swiss audiences, the chief problem of exhibitors is obtaining an adequate supply of good pictures, in view of the difficulties of shipment. The information has been supplied to the Department of Commerce by the American consulate in Zurich.

Beginning in August of this year the showing of domestic newsreels became obligatory for all theatres in Switzerland. Gross receipts in the country during the first half of 1940 were reported as about 20 per cent under the same period in 1939. Approximately 360 film theatres are operating in the country.

Board of Academy Approves Classes

HOLLYWOOD, Nov. 21.—The board of governors of the Academy of Motion Picture Arts and Sciences has formally approved plans for a vocational school in which courses in the motion picture would be offered to those employed in the industry. Questionnaires will be mailed shortly to production employes, particularly those in the younger age brackets, to determine how many will take the courses.

The board tabled a project for establishing a film museum on the site occupied by the former Trocadero cafe, the consensus being that such an establishment should have space for a projection room.

Kodak Exhibit Burns

The Eastman Kodak Building at the World's Fair burned Wednesday. Most of the exhibits had been removed. A quantity of film was destroyed.

Takes Over Conn. House

NEW BRITAIN, Conn., Nov. 21.—P. S. McCann, Jr., has assumed operation of the State, which he formerly leased to John Kata.

Off the Antenna

FRED WEBER, Mutual general manager, telegraphed all the network's affiliated stations Wednesday urging them to read carefully the brief filed on behalf of Independent Radio Network Affiliates in the monopoly proceedings before the FCC by Paul M. Segal. Weber stated that the brief, favoring NBC and CBS and attacking the FCC monopoly committee was unauthorized. Following the filing of the IRNA brief last week, the FCC secretary wired to all IRNA members asking whether the individual members had approved it.

• • •

Program News: *Stan Shaw's "Milkman's Matinee" will be heard over WNEW from 1 A.M. through 7 instead of from 2-7 A.M. starting tomorrow. . . . The WEVD "University of the Air" will mark its eighth anniversary Sunday, Dec. 1, from 9-11 P.M. with Dorothy Thompson, Irving Berlin, Lt. Gov. Charles Poletti, Herbert Bayard Swope, Hendrik Willem Van Loon, Gertrude Lawrence, Elmer Davis, Luise Rainer, Fannie Hurst, Sigmund Spaeth, Dr. Frank Kingdon, Abraham Cahan, Howard Dietz, Harold J. Rome, Dr. George Shuster and Thomas J. Lyons participating.*

• • •

NBC is now experimenting with FM for its television sound channel. The immediate plan is to use FM for 90 minutes while the test pattern is being telecast and then alternate, at five-minute intervals, with AM and FM.

• • •

BMI has closed its first deal with a performing rights society, the Society of Authors, Composers and Editors of Music in Mexico City, it was disclosed Wednesday. The society controls about 20,000 musical compositions, including 2,000 records. Until Dec. 31, the rights are controlled by Ascap through Southern Music Co. BMI plans a campaign to popularize Latin American music in this country, partly as a good will gesture and partly to popularize its own music.

• • •

Purely Personal: *Lady Suzanne Wilkins, wife of Sir Hubert Wilkins, the explorer, will make her bid for a part in radio when she appears as guest on Arthur Ford's "What's in the World" over WBNX today at 2 P.M. . . . Dr. Syvil Marquit, who conducts "Psychology for Everyone" over WBNX, has been appointed chief psychologist of the Brooklyn Child Guidance Clinic. . . . Charles Carvajal, formerly production manager and chief of the Spanish section of the NBC international division, has resigned to become an independent consultant and producer of programs for Latin America.*

Royal to Mexico For Inauguration

John F. Royal, NBC vice-president in charge of international relations, will leave by plane Wednesday on a good-will tour to Mexico and Guatemala. He will be guest at the inauguration in Mexico City of Gen. Manuel Avilla Camacho as president of Mexico and will confer with broadcasters there. Royal will then fly to Guatemala to speak with Government officials about industry problems.

CBS Planning FM Station in Chicago

WASHINGTON, Nov. 21.—The Federal Communications Commission has received an application from the Columbia Broadcasting System for an FM station in Chicago to operate on 44,900 kilocycles, covering 16,100 square miles with a population of 6,431,310, and a request for increase of night power from 1,000 to 5,000 watts from Station WTAG, Worcester, Mass.

The Commission also has received an application for a change of frequency from 1,010 to 740 kilocycles and increase of power from 5,000 to 50,000 watts from Station KQW, San Jose, Cal.

Buy Maugham Novel

Film rights to W. Somerset Maugham's "The Moon and Sixpence" have been acquired by M-G-M.

CBS Stock Change Reported by SEC

WASHINGTON, Nov. 21.—Disposition by gift of 397 shares of Columbia Broadcasting System Class B common stock by Leon Levy, director, Philadelphia, in September, reducing his holdings to 42,365 shares of Class B, and sale by Herbert V. Akerberg, officer, New York, of 28 shares of Class A common, his entire interest, were reported tonight by the Securities and Exchange Commission.

For the first time in a considerable period, the commission's semi-monthly summary of transactions of officers and directors in the securities of their corporations carried no reports of film stock changes.

New Haven Union Names Baslicado

NEW HAVEN, Nov. 21.—Local 273 of the projectionists union for the New Haven-Ansonia-Derby territory elected Anthony Baslicado president at the 28th annual election meeting.

Other officers include: Matthew Kennedy, business agent, reelected for the sixth consecutive year; Nick Villano, vice-president; Ernest DeGrosse, secretary; Edward Boppert, treasurer. In addition to the officers, Myron Wheaton and John Griffiths, Jr., serve on the executive board. Contracts for this territory, expired this Fall, have not yet been renewed.

WKRC Musician Dies

CINCINNATI, Nov. 21.—Raymond Moore, 34, staff musician at WKRC, local Mutual affiliate, died at Good Samaritan Hospital here.



The Industry's leading sound engineers prepared this book for you!

MOTION PICTURE SOUND ENGINEERING

■ 547 pages, completely covering every practical method and process in present day sound engineering. Every detail of apparatus and its arrangement is minutely explained and profusely illustrated. Here is the practical answer to the perplexing problems of sound engineering. If you deal with sound at all, you should have this authoritative treatise!

$6.50 POSTPAID

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER, NEW YORK

There's ACTION



"South of Suez"!

...SO WARNERS PACKED IT INTO A BIG SHOW NOW READY TO GO!

with

GEORGE BRENT
BRENDA MARSHALL
GEORGE TOBIAS

James Stephenson
Lee Patrick • Eric Blore
Screen Play by Barry Trivers
From a Story by Sheridan Gibney
Directed by LEWIS SEILER
A Warner Bros.-First Nat'l Picture

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 102 NEW YORK, U. S. A., MONDAY, NOVEMBER 25, 1940 TEN CENTS

ARBITRATION SET TO START AT ONCE

See New Sales Formula Need Under Decree

10 Contracts Needed to Sell 50 Films

Home office officials state that new formulas of operation will be required in sales, when the trade show and block-of-five provisions of the New York case consent decree become effective next year.

It is believed that under the new provisions, 10 contracts will be required for a program of 50 pictures, where one suffices now. Such a condition, the experts hold, may tend to slow up sales because of the comparatively longer time which will be required for approval of that many more contracts.

Thus a company which normally sells to 10,000 accounts will require 100,000 contracts, under the new provisions.

How to meet this problem when the provisions go into effect, they state, is now occupying much of their attention.

CEA Seeks Shift in Theatre Schedules

LONDON, Nov. 24.—A new move is being made by the London Branch of the Cinematograph Exhibitors Association which may result in a complete change of theatre opening hours and program routine.

The first move will come at a meeting of the London Branch this week at which proposals, already having general support, will be made for seven-day licensing of theatres, with all-week programs replacing the current bi-weekly programs. Shorter programs also are being suggested with recommendations being made for two-hour shows.

Meanwhile, the national C. E. A. is preparing to present its recommendations for unconditional Sunday performances to the Home Office.

Selznick Departs On Return to Coast

David O. Selznick left for Chicago last night en route to the Coast after an extended stay in the East.

Prior to his departure he said he had no definite production plans but expected to decide on his next picture within two or three weeks following his arrival on the Coast. Selznick will leave Chicago by train on Thursday.

10 Plays Performed Under Sunday Plan

Ten legitimate stage productions were put on yesterday, the first Sunday performances to be given under the new Actors Equity ruling permitting them. The casts were paid the same rate as for weekdays.

The shows which played were: "Beverly Hills," "Blind Alley," "Charlie's Aunt," "Hellzapoppin'," "George Washington Slept Here," "Johnny Belinda," "Kind Lady," "The Man Who Came to Dinner," "Tobacco Road" and "Separate Rooms."

Warners Report Net of $2,747,472

Net profit of $2,747,472, after all charges and provision for Federal income taxes, is reported by Warner Bros. Pictures, Inc., for the fiscal year ended Aug. 31, 1940 (53 weeks). Operating profit for the preceding fiscal year ending Aug. 26, 1939, which covered a period of 52 weeks, was $1,740,907.

Gross income for the 1940 fiscal year was $100,337,092, as compared with $102,083,131 for the preceding fiscal year.

The company reports current and working assets of $25,935,974, of which $7,709,982 is cash, and current liabilities of $15,610,963. Total assets aggregate $166,712,373, including good will, listed at $8,331,776. Cost of sales and expense for the year was $88,680,544, of which $59,547,286 was operating and general expenses.

In addition to the operating profit, the company had a net credit to earned surplus in the amount of $85,811, and

(*Continued on page* 10)

Pan-American Film Opening Metro Plan

M-G-M plans to hold simultaneous premieres of "Flight Command" in Washington, Havana, Mexico City and Toronto on Dec. 17. The opening is planned as a salute to Pan-American Aviation Day.

The Washington opening is to be held at Loew's Capitol under the auspices of the National Aeronautic Association, with Government officials expected to attend. The plan is said by M-G-M to be an outgrowth of the suggestion of Dr. Leo S. Rowe, director-general of the Pan-American Union, that "the motion picture industry might wish to give recognition to Pan-American Aviation Day." The film stars Robert Taylor and was directed by Frank Borzage.

Tax Total Trebles For Four Months Of Low Exemption

WASHINGTON, Nov. 24.—Federal admission tax collections nearly trebled in the first four months of application of the lower exemption, it is disclosed by the monthly report of the Internal Revenue Bureau.

October collections of $6,628,430, comparing with $5,851,655 in September and $1,727,931 in October, 1939, brought receipts for the period from July 1 to the end of last month to $18,537,345, compared with $6,627,905 for the corresponding period last year, it was announced.

For the first 10 months of the calendar year, bureau records show, collections reached $29,705,117 against $15,783,133 in 1939.

Receipts from the Third New York (Broadway) District topped $1,000,000 for the first time, aggregating $1,103,234, of which $1,047,464 was from theatre admissions, including season tickets, $50,652 from admissions to roof gardens and cabarets and $5,118 from tickets sold by brokers. In September, total receipts were $936, 86, of which $881,250 was from theatre admissions, and in October, 1939, collections were only $277,256, of which $232,534 was from admissions, the bureau reported.

Rifkin, Hulling on Monogram Board

HOLLYWOOD, Nov. 24. — Herman Rifkin, veteran New England exhibitor and one of the founders of Monogram Pictures, was elected a vice-president and director of Monogram yesterday.

Mel Hulling of San Francisco, West Coast district manager for the company, also was elected a director, succeeding Thomas P. Loach, former vice-president, who resigned recently.

Ray E. Young was elected treasurer, a post which was held by Loach also.

Edward Golden, Monogram vice-president and distribution head, who resigned recently, said today that he would enter production here and that a new corporation for the project is now being formed in New York.

A.A.A. Makes Facilities Available Pending Industry Setup

Arbitration of exhibitor complaints through the facilities of the American Arbitration Association will be begun immediately for any exhibitors desiring to file complaints at this time, officials of the Association announced over the weekend.

The arbitration provisions of the consent decree became effective with the signing of the document by Federal Judge Henry W. Goddard last Wednesday. The industry's own arbitration machinery will not be ready to function until early in February. However, the complete national facilities of the A.A.A. will be made available in the meantime to exhibitors anxious to bring complaints for arbitration before then, as a result of the Association's action.

The A.A.A. facilities include a total of 7,000 arbitrators, located in all parts of the country. It has representation in every exchange center in which local boards for the industry will be set up later. Any exhibitor who qualifies under the rules of arbitration included in the consent decree may file a complaint with the A.A.A. in any exchange city, and efforts will be made at once to have qualified complaints arbitrated. Presumably, the only requirement is that

(*Continued on page* 10)

M-G-M Studio Fire Damage Is Slight

Culver City, Nov. 24.—Fire of unknown origin destroyed a scene dock and storage structure on M-G-M's back lot early Saturday before being brought under control. The loss is believed to be inconsiderable, since the warehouse contained only seldom used scenery and the scene dock was regarded as obsolete. The property was insured.

Neither current nor future production activity will be affected by the fire. One studio fireman and another employe were injured fighting the blaze.

Scully Drive Plans Set at 'U' Session

Universal district sales managers formulated plans for the company's William A. Scully testimonial sales drive at their two-day meeting at the Astor Hotel here over the weekend.

Nate J. Blumberg, Universal president, addressed the meeting and Scully described forthcoming product and sales plans for the new pictures. Others present included: F. J. A. McCarthy, Eastern sales manager; W. J. Heineman, Western sales manager; Lou Pollock, Eastern advertising and publicity manager; Hank Linet and Morris Allin, assistants, and the following district managers; Jules Lapidus, Eastern district; Dave Miller, Cleveland; Harry D. Graham, Atlanta; A. J. O'Keefe, Los Angeles; E. T. Gomersall, Chicago, and J. E. Garrison, Kansas City.

Scully left last night for Detroit to begin a week's tour of Midwestern exchanges.

750 Attend Warner Club Annual Dance

The Warner Club, home office employe organization of Warners, held its first annual Thanksgiving dinner and dance Saturday night at the Hotel Commodore with about 750 members and guests attending. The affair was in charge of Martin Bennett, vice-president. Nat Fellman, assistant to Joseph Bernhard, Warner Theatres head, is president.

Bob Chester and his orchestra provided the music. Personalities present included Priscilla Lane, Red Skelton, Harriet Hilliard and Ozzie Nelson.

Personal Mention

J. A. McCONVILLE, Columbia foreign manager, returned late last week from an extended South American business trip.

•

MRS. AL SHERMAN, wife of the Columbia publicist, is in French Hospital being treated for severe burns received in an accident at her home late last week.

•

HENRY WOLPER, M-G-M office manager in Boston, celebrates a birthday today.

•

GORDON WILSON, M-G-M booker at the Los Angeles branch, is the father of a girl, NANCY LEE.

•

ETHEL MOORE of the M-G-M Dallas branch is recuperating in St. Paul's Hospital, that city, after an operation.

•

DON REEVE of the Paramount publicity department, and son of ARCH REEVE, advertising director of 20th Century-Fox, is recovering after an emergency appendix operation at St. Luke's Hospital Wednesday night.

F. L. HARLEY, British managing director for 20th Century-Fox, is planning a Clipper trip here for the Christmas holidays.

•

ED FINNEY, producer of Tex Ritter westerns for Monogram release, returned to the Coast Saturday after a few days here.

•

GRACE ROSSI of Waterbury, Conn., was married on Saturday to CARMEN MASCOLI, manager of the Alhambra in Waterbury, at St. Luce's Church.

•

GEORGE E. WOLF, usher at the Skouras Victory Theatre, Bayside West, L. I., produced and directed a 16mm. film which was shown Friday night.

•

MILDRED JOHNSON, biller at the Paramount office in Des Moines, was recently married to JOHN BEGLEY of that city.

•

H. J. YATES, Republic president, has arrived on the Coast for production conferences at the studio.

Zenn Kaufman to Be Ampa Chief Speaker

Zenn Kaufman, a sales counselor who has written several books on advertising and sales promotion, and has lectured before many advertising clubs throughout the country, will be the principal speaker at the Ampa luncheon meeting at the Hotel Edison Thursday.

Victor Mature, a player, also will appear.

Greenthal to Study New Film Campaigns

Monroe Greenthal, newly appointed director of advertising and publicity for United Artists, is due back in about 10 days from conferences at the studio with Maurice Silverstone, chief of world wide operations, and other U. A. executives.

Among the advertising campaigns on forthcoming product to be discussed at the conferences will be those on "So Ends Our Night," Loew-Lewin film; "Cheers for Miss Bishop," produced by Richard Rowland; a new Alexander Korda film; "That Uncertain Feeling," made by Ernst Lubitsch; James Roosevelt's "Pot o' Gold," and Hal Roach's "Broadway Limited."

Mexico Police Guard 'Pastor Hall' Showing

MEXICO CITY, Nov. 24.—A heavy police guard has been assigned to the swank Cine Chino Palacio here as a result of pro-Nazi disturbances and demonstrations directed against the showing of "Pastor Hall," a United Artists release, showing in Mexico under the title, "The Martyr."

Numerous telephoned threats that the theatre would be bombed unless the picture was withdrawn were received by the management and were followed by stench and tear gas bombs and milder disturbances within the house.

Since the German legation has not protested the showing of the film, police attributed the disturbances to irresponsible agitators. This is the first occasion in years that a local theatre has found it necessary to have a police guard.

Complete Chest Quotas

DES MOINES, Nov. 24.—Sam Horowitz, head of Affiliated Enterprises, Inc., and Myron Blank of Central States Theatres, team captains on theatres and amusements, were the first in the 1940 Community Chest drive here to make their quotas of $4,700.

Donates Ambulance

Des Moines, Nov. 24.—A. H. Blank, head of Tri-States Theatre Corp., and Mrs. Blank have presented a check for $1,150 to the Des Moines Chapter of the Red Cross for purchase of an ambulance to be sent to England. The ambulance is to be purchased in New York and will bear a small plaque showing the name and home of the donor.

Metro Officials Go To Flynn Testimonial

William F. Rodgers, M-G-M sales manager; T. J. Connors, E. M Saunders and H. M. Richey left last night for Detroit where they will attend the Variety Club testimonial there tonight for Jack Flynn, M-G-M Central district manager, who is transferring his headquarters from Detroit to Chicago.

Rodgers and Saunders will return to New York tomorrow. Richey goes to Indianapolis from Detroit to attend the convention of Allied Theatre Owners of Indiana, tomorrow and Wednesday. He will address a meeting of Monroe, Mich., luncheon clubs Thursday, before returning to New York.

Carolina T. O. Meet To Hear Kuykendall

CHARLOTTE, Nov. 24.—Ed Kuykendall, M. P. T. O. A. president, will address the annual meeting of the M. P. T. O. A. of North and South Carolina, to be held at the Hotel Charlotte here Dec. 1 and 2, Mrs. Walter Griffith, secretary of the local organization, announced today. Other speakers at the meeting will be: Roy Rosser, H. E. Buchanan, Roy Rowe and W. M. Conn of the local organization.

Conn. MPTO to Meet In New Haven Today

NEW HAVEN, Nov. 24.—The Connecticut M.P.T.O. will meet tomorrow at Ceriani's Restaurant, with vice-president Irving C. Jaocks, Jr., presiding. Executive secretary Herman M. Levy will report on the hearing on the consent decree before Judge Goddard in the New York Federal District Court.



"M-M-M! SOUNDS GOOD TO ME!"

When your theatre has the *double* protection of an Altec sound service agreement *and* an Altec booth parts agreement, you can *relax!* Yes, you can devote *all* your time and thought to showmanship and exploitation—for Altec takes projection room worries off your shoulders for good! Change to Altec today!

ALTEC SERVICE CORPORATION

250 West 57th Street, New York City

CHANGE TO ALTEC SERVICE • A CHANGE FOR THE BETTER

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame.

Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

Bette Davis' greatest is The Letter!



Openings in every point of the compass op 'Old Maid', op 'All This and Heaven Too' – op everything he's ever done!

with

HERBERT MARSHALL
JAMES STEPHENSON
Frieda Inescort • Gale Sondergaard
Screen Play by Howard Koch
Music by Max Steiner

Somerset Maugham wrote this

WM. WYLER Production

for WARNERS

"BUSINESS BEFORE

(*Christmas will take care of itself*)

When the exhibitors, who now head Universal, operated theatres, they knew that everyone was a great showman on Christmas Day. But they also knew that Christmas Week profits disappeared into thin air after the pre-Christmas expenses were deducted. It was only natural therefore that their motto should be "Business Before Christmas"!

They fought for the best pictures they could get and they campaigned them with all their energy and resources—AND any number of times they licked the old bugaboo about pre-Christmas slumps; they did business!

Today, as distributors, these men feel the same way about it. To every real showman in America they say: "Tell tradition to take a sneak! Here are two of our most important pictures. In star value, in production, in every detail, they have potentiality for high grosses *NOW,* before Christmas! You'll get one of these on November 28th; you'll get the other on December 13th! Prints are ready! Campaigns are ready! And business is ready—*always ready*—if you've got pictures like 'The Bank Dick' and 'Trail of the Vigilantes'."

Go out and get those dollars that are waiting for you between now and December 25th!

"Christmas will take care of itself!"

CHRISTMAS"



For National Release NOVEMBER 28th!

W. C. FIELDS

in

"The BANK DICK"

with Una Merkel • Richard Purcell
Shemp Howard • Franklin Pangborn • Grady Sutton
Jessie Ralph • Cora Witherspoon
Original Screenplay by Mahatma Kane Jeeves
Directed by EDWARD CLINE

UNIVERSAL—the Exhibitor Company!



For National Release DECEMBER 13th!

"TRAIL of the VIGILANTES"

starring

FRANCHOT TONE

with
Warren William • Broderick Crawford
Andy Devine • Mischa Auer
Porter Hall • Peggy Moran
Directed by ALLAN DWAN

To Reopen English Army Picture Talks

LONDON, Nov. 24.—A way out of the impasse which developed when the trade refused to cooperate with the Government in the Army Council plan for the latter to exclusively handle the supply of film for troops, is seen here now.

It is expected that the Army Council, with its authority and position clarified, may ask the Cinematograph Exhibitors Association and the Kinematograph Renters Society (distributors) to meet for a fresh consideration of the whole problem of screen entertainment for troops.

The new development follows a meeting at which Sir John Anderson, Lord Privy Seal, declared the Government was taken aback and seriously embarrassed by the trade's attitude in the matter. He said the Army Welfare Council considers films an essential part of the welfare of the troops. The trade representatives outlined their objections to the Government plan at the meeting. A recent check shows 65 units of the present film supply organization operating in Great Britain in the supply of films for troops.

Strike Is Settled in 2 Mexican Houses

MEXICO CITY, Nov. 24.—The strike to prevent reduction of pay and personnel that closed the Eslava and Variedades Theatres in the port of Vera Cruz for some time has been satisfactorily settled as the exhibitors decided to drop their decision, according to the National Cinematographic Workers Union.

The person writing Mexico's best picture script of the year is to receive one of the seven arts and sciences prizes of $2,100 each, as Congress has approved the proposition of the Ministry of Public Education to grant such annual awards. The winners are to be selected by a committee representing the Ministry and the National University of Mexico.

Priscilla Lane Is Guest at W. B. Party

Priscilla Lane was guest at a Warner cocktail party at the Gotham Hotel Friday.

Among those attending were: Gradwell L. Sears, Mort Blumenstock, Sam Shain, Sheila Bromley, Jacob Wilk, Mitchell Rawson, Julius and Philip Epstein, Sid Rechetnik, Alice Thompson, Ozzie Nelson, Harriet Hilliard, Irving Windish, Bob Williams, Herbert Cohn.

Morrison Rites Held

Joan, Constance and Barbara Bennett arrived from Hollywood by plane over the weekend to attend the funeral Saturday of their mother, Adrienne Morrison, at Old Lyme, Conn. Also attending were Walter Wanger, Lady Ashley and Morton Downey. Mrs. Morrison, former wife of Richard Bennett, died last Wednesday of a heart attack.

7th 'Dictator' Week

"The Great Dictator" will be held for a seventh week at the Capitol, it was decided over the weekend. The two-a-day run at the Astor continues.

Feature Reviews

"Tin Pan Alley"

(20th Century-Fox)

Hollywood, Nov. 24

MANY times since "Alexander's Ragtime Band" was released so successfully Hollywood has gathered at a preview of a film designed to duplicate that one, and dispersed, convinced that the effort hadn't come off. It was a correspondingly elated audience that emerged from the preview of "Tin Pan Alley" to declare that this time "Alexander" has been matched, if not excelled. The audience had a grand night at the preview.

"Tin Pan Alley" relies, as did "Alexander," upon a score made up of song hits of the years when syncopation was in its infancy, radio had not been born and a song lived longer in the land and deeper in the consciousness of the populace. Outstanding in a patchwork of memorable numbers are "America, I Love You," "Goodbye, Broadway, Hello France," and "Katy," each built up in delivery to a pitch which had Hollywood humming and whistling them next day. Matching them for lilt, tunefulness and rhythm is a new number by Harry Warren and Mack Gordon.

Stars of the picture are Alice Faye, Betty Grable, John Payne and Jack Oakie, with Allen Jenkins, Esther Ralston, the Nicholas Brothers, Elisha Cook, Jr., Billy Gilbert, Princess Vanessa Ammon, the Brian Sisters, Roberts Brothers, John Loder, Ben Carter and many more in support. Production by Kenneth MacGowan and direction by Walter Lang are in the "Alexander" tradition.

Scene of the story, written by Robert Ellis and Helen Logan from an original by Pamela Harris, is New York's Tin Pan Alley as of 1915-'19. Here Wayne and Oakie, improvident song publishers, find fortune and failure, poverty and riches, in the field of their selection, winding up in the A. E. F. and, finally, back home again, with the girls whose careers have been interwoven with theirs, marching beside them in a homecoming parade. Incidents devised in the course of the narrative afford occasion for virtually unbroken delivery of song numbers, sung, danced and played in every variation of presentation.

Running time, 92 minutes. "G."* ROSCOE WILLIAMS

"Take Me Back to Oklahoma"

(Monogram)

HOLLYWOOD, Nov. 24.—Seventeenth in the series of Tex Ritter westerns and announced as the first to be produced under augmented budgets recently announced, this number presents, both as entertainers and actors, Bob Wills and his Playboys, cowboy band outfit popular in daily broadcasts in the Southwest and semi-weekly over NBC nationally. The aggregation contributes eight musical numbers, Ritter taking part in some of them.

Stronger in story than most westerns, "Take Me Back to Oklahoma" has to do with the efforts of outlaws to gain possession of a stagecoach line owned by a young woman. They succeed by way of murdering drivers and wrecking coaches, concentrating finally on the elimination of Tex when he comes to town. Big scene of the picture, and big it is in thrill and action, is a race between stagecoaches with the state franchise at stake.

Produced by Ed Finney and directed by Al Herman, the picture supplies Slim Andrews, Terry Walker, Bob McKenzie, Earl H. Chett and Donald Curtis, among others, in support of Ritter.

Running time, 64 minutes. "G."* ROSCOE WILLIAMS

"Meet the Missus"

(Republic)

The popular Republic series on the Higgins Family is on view with another episode, "Meet the Missus," but the cast, with the exception of Lois Ranson, is entirely new. Roscoe Karns, as Joe; Ruth Donnelly, as Lil.; Spencer Charters, as Grandpa; George Ernest, as young Sidney, and Polly Moran, as Widow Jones, make up the new Higgins family.

"Meet the Missus" starts off with Sidney losing some $5,000 worth of negotiable bonds, follows with the efforts of the rest of the Higginses to borrow the $5,000 to keep Sidney out of jail, and winds up with Grandpa being pursued by Widow Jones, and Joe being chased by a jealous lover.

This particular adventure in the Higgins' lives occasionally fails to sustain interest. Robert North was associate producer, and Mal St. Clair directed.

Running time, 68 minutes. "G."* EDWARD GREIF

**"G" denotes general classification.*

Sunday Pictures Win on Recount

Tamaqua, Pa., Nov. 24.—Exhibitors demanding a recount on the Sunday film vote, originally listed as losing out here, found the tables turned on the second count, with the measure certified in favor of Sunday showings.

New 'Wind' Premiere Is for British Relief

The anniversary premiere of "Gone With the Wind" at Loew's Grand, Atlanta, Dec. 12, will be for the benefit of the British War Relief Society, which is sponsoring the opening. Tickets will be $5, $2.50 and $2. The anniversary premiere is prior to general release of the film, admission policy for which will also be half the original price. A citizens' committee is aiding in the arrangements. Vivien Leigh, Laurence Olivier and Hattie McDaniel will make personal appearances.

Griffis and Mealand Pep Club Speaker

Stanton Griffis, chairman of the Paramount executive committee, and Richard Mealand, Eastern story editor, will be speakers at a meeting of the educational committee of the Paramount Pep Club, employes' organization, at the home office tomorrow night. Walter B. Cokell, Paramount treasurer, will preside.

Griffis will speak on "Banking in Show Business" and Mealand on "How Stories Become Films."

Postpone Canada Clearance Parley

TORONTO, Nov. 24.—The meeting of the Motion Picture Section of the Toronto Board of Trade, to consider further steps in connection with the organization of the National Clearance Board for Canada, has been postponed to provide time for further study of the situation.

The board, as now proposed, would have equal representation of three members each from the circuit interests and from the independent exhibitors. The distributors, however, have requested membership places as well. Organized independents have opposed equal representation for the exchanges.

Davidson Appointed Grierson Assistant

TORONTO, Nov. 24.—J. D. Davidson of London, England, has been named assistant commissioner of the National Film Board of the Dominion Government, of which John Grierson is the commissioner. Davidson was a member of the Film Section of the Empire Marketing Board and, more recently, was with the General Post Office Film Unit which was organized in England by Grierson.

Kuhn Drops W. B. Suit

Fritz J. Kuhn, former leader of the German-American Bund, on Friday discontinued his $5,000,000 libel suit in the U. S. District Court against Warners, Milton Krims, John Wexley and Leon G. Turrou. Suit had charged that "Confessions of a Nazi Spy" had libelled the plaintiff.

Short Subject Reviews

"Sneak, Snoop and Snitch"
(*Paramount*)
Three of the characters which were originated for the Fleischer feature, "Gulliver's Travels," here are seen attempting, successfully, to steal the king's chest, which turns out to contain a Junior G-Man badge. It is not more than average cartoon fare. Running time, 7 mins.

"Motorcycle Stunting"
(*Paramount*)
A Grantland Rice Sportlight, with Ted Husing handling the narrative, this subject has a thrill and a chill in its camera record of the stunts of the devotees of the motorbike. Seen are racers, stunt riders, cross-country chases, and the famous "Lucky" Teter, daredevil extraordinary. It is a good subject. Running time, 10 mins.

"The Constable"
(*Paramount*)
Gabby, in Lilliput, is the constable, ordered by the mayor to see that the thief who has been stealing his pigs be apprehended. He disguises himself as a pig, finds the culprit and the "Fagin" who forces him to steal. There are one or two amusing moments. Running time, 7 mins.

"Mommy Loves Puppy"
(*Paramount*)
This Fleischer cartoon tells of the mother St. Bernard at the lonely outpost, whose puppy goes off on his own rounds. A walrus empties his cask with amusing results, and mother arrives in time to save the puppy and mete out just punishment. Average cartoon material. Running time, 7 mins.

"Popular Science, JO-2"
(*Paramount*)
This number of the interesting series in color has as its highlight a pictorial record of the cutting of a master disc and the production of countless phonograph records from it. A small boy's jacket with innumerable pockets, a kitchen sequence showing a variety of handy gadgets, and the sun dial developed by a Dallas man which tells accurate standard time complete the reel. Running time, 10 mins.

"March of Time, No. 7"
(*RKO*)
"Arms and the Men—U. S. A.," as the latest issue of "March of Time" is called, is the story of the activities of the conscript army. Straying casually through one of the new camps, the camera picks up characteristic and amusing touches of army life. The reel starts with shots portraying industry's role in the defense program, then the views of camp life, and ends with the civilian's duties under the program. A timely release aided by deft direction. Running time, 19 mins.

"Henry Busse and Orchestra"
(*Vitaphone*)
This subject presents Henry Busse's radio, night club and stage orchestra in a group of popular song selections. Busse plays several trumpet solos and a vocalist is featured in a number of the renditions. The sound recording is excellent and camera work is worthy of mention. Running time, 10 mins.

"Alice in Movieland"
(*Vitaphone*)
A well-constructed short drama of the small town beauty contest winner who gets a chance to "crash" Hollywood, this subject should be acceptable to any screen audience. In addition to picturing the difficulties of winning a place in Hollywood, the camera, in side excursions, captures some of the people, scenes and places which help to make Hollywood a glamorous name. The subject is one of the "Broadway Brevities" series, from an original story by Ed Sullivan, and with Joan Leslie, Nana Bryant and Clara Blandick in the cast. Running time, 20 mins.

"Mexican Jumping Beans"
(*Vitaphone*)
The Martinos, a Mexican family of acrobats, go through their routine of spectacular stunts for the camera in this subject. Their skillful and diversified feats should be of interest to average film aduiences. The subject is well photographed and includes slow motion shots of the troupe's more complicated stunts. Running time, 10 mins.

"Diary of a Racing Pigeon"
(*Vitaphone*)
An unusual and interesting subject, picturing the life and training of a racing pigeon from egg to a homing championship. Scenes from actual racing competitions and uses of pigeons for messenger services are included in the subject. Considerable aerial photography against scenic backgrounds is used to the greater pictorial merit of the subject. Running time, 10 mins.

"Stranger Than Fiction, No. 84"
(*Universal*)
Six oddities make for adequate subject matter for this particular type of short. They are a slingshot artist, a male crochet expert, the disposal or use of old trolley cars in Portland, Ore., a miniature tugboat, an Alabama convict who learned of his ability to paint in prison and a bird-fish at an Oregon aquarium. Running time, 9 mins.

"Congamania"
(*Universal*)
This is a diversified and entertaining musical that is likely to prove a strong attraction for those afflicted with the title ailment. Nick Lucas and Eddie Durante and his orchestra are the more popular of the entertainers, which include Nina Orla, Peggy Carroll, Jose Casino Dancers, the Flores Brothers, Pepe Guizar and the Theodores. Running time, 7 mins.

"Torrid Tempos"
(*Universal*)
The popular radio group, Six Hits and a Miss, and Matty Malneck and his orchestra are seen in a gay and sparkling musical short. Others on the program are the Stapletons, tap dancers; Mary Lou Cook, singer; Jack Gwynne, suave magician, and Vivien Fay, ballerina. Running time, 18 mins.

GENE AUTRY'S MELODY RANCH
A REPUBLIC PICTURE



"Have a cigar! Have a Havana! Vote for Honest Gene Autry . . . the best in the West. A vote for Gene Autry is a vote for Gene Autry . . . that means two votes for every man."



"It's tragic . . . it's Waterloo . . it's Armageddon . . . and Ah'm a' geddin' mighty sick of it!"



"You certainly look nice today, Miss Veronica . . . just like an old Godey print."

JIMMY DURANTE • ANN MILLER and
BARTON MacLANE • BARBARA ALLEN (VeraVogue) • GEORGE "Gabby" HAYES • JEROME COWAN • MARY LEE
JOSEPH SANTLEY — DIRECTOR

TWO BIG HAPPY HOLIDAY

For Christmas

No, No, Nanette



ANNA NEAGL

For New Year's 1941

Kitty Foyle

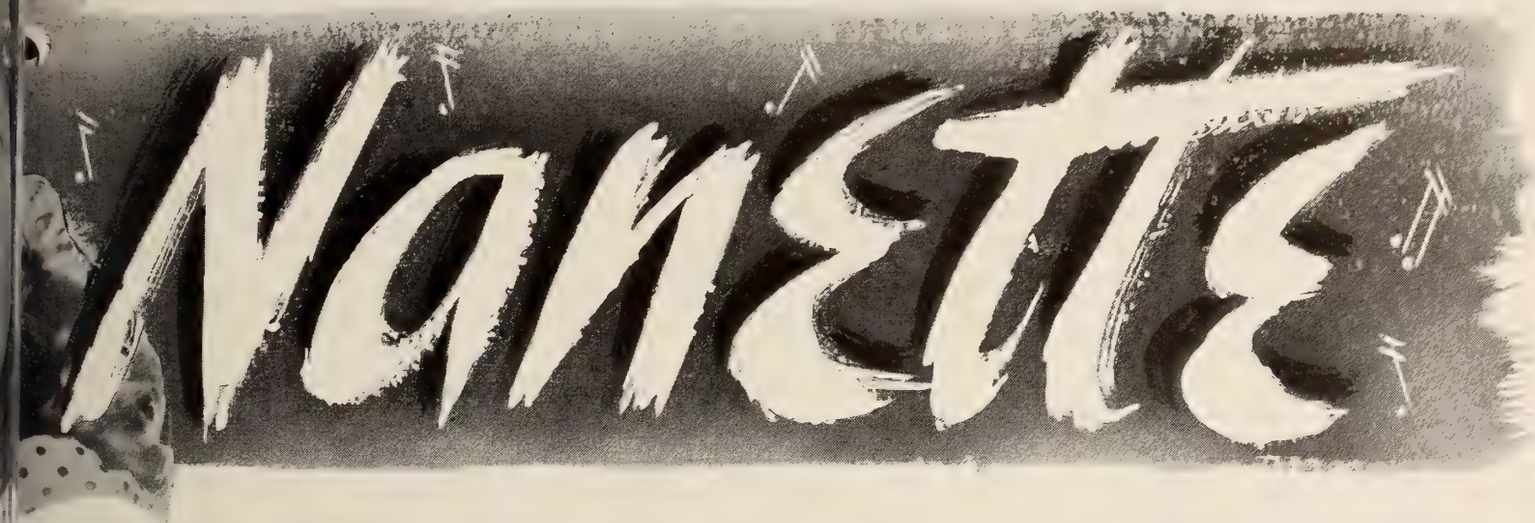


Amazing! Daring! Intimate!
The Smash Best-Seller
Now A Screen Sensation!

GINGER ROGERS

SHOWS FROM RKO-RADIO!

The "Irene" Girl in the Sensational Broadway Hit With Vincent Youmans' Music



the "Tea for Two" Romance **"NO, NO, NANETTE"**

with RICHARD CARLSON • VICTOR MATURE • ROLAND YOUNG

HELEN BRODERICK • ZASU PITTS • EVE ARDEN • TAMARA • BILLY GILBERT • STUART ROBERTSON

From the Musical Comedy, "No, No, Nanette" by Frank Mandel, Otto Harbach, Vincent Youmans, Emil Nyitray, Music by Vincent Youmans, Lyrics by Irving Caesar & Otto Harbach

Produced and Directed by
HERBERT WILCOX
SCREEN PLAY BY KEN ENGLUND



RKO RADIO PICTURES

s Christopher Morley's "White Collar Girl"... **KITTY FOYLE**

The Natural History of a Woman

ith DENNIS MORGAN · JAMES CRAIG EDUARDO CIANNELLI · ERNEST COSSART

LADYS COOPER • Produced by DAVID HEMPSTEAD • HARRY E. EDINGTON Executive Producer

DIRECTED BY SAM WOOD
(WHO MADE GOODBYE MR. CHIPS)
Screen Play by Dalton Trumbo • Additional Dialogue by Donald Ogden Stewart

Arbitration Ready To Begin At Once

(Continued from page 1)

the arbitrators from the established A.A.A. panels must have had no connection with the film or theatre industry at any time.

A.A.A. officials here indicated that they believe numerous exhibitors may be anxious to file complaints involving clearance and run, inability to buy sufficient product, forcing of shorts and newsreels and other accepted subjects of complaint before next February. They also pointed out that the disposition of a number of these cases during the next three months would aid materially in lessening the expected rush to file complaints when the boards are opened next February.

J. Noble Braden, executive secretary of the A.A.A., left for Los Angles over the weekend where he will begin work on the establishment of the first industry arbitration board. He will complete arrangements for the establishment of boards in all other exchange cities before returning to New York shortly before Christmas. He plans a second round of the exchange cities during January to install panels of arbitrators and to make final preparations for the opening of the boards.

Warners Report Net Profit of $2,747,472

(Continued from page 1)

an increase of $75,135 in capital surplus, which at the end of the fiscal year was $57,316,562.

Due to further losses during the year of foreign revenue, the company has decreased its ratio of foreign income to total income from 30 per cent to 20 per cent for amortization purposes, resulting in additional amortization charges for the year of $727,724.

The net for the year is equivalent to 63 cents per share on the common, after provision for preferred stock dividends, compared with 36 cents per share on the common on the same basis at the end of the preceding fiscal year.

Intervenes in Suit Against Warners

NEW HAVEN, Nov. 24.—Joseph Shulman, doing business as the Plaza Theatre Co. of Windsor, Conn., again has received permission from the court to intervene as party defendant in the clearance suit of Lampert Theatre of Windsor, Inc., against Warners. A similar request was granted Shulman last Spring, but Judge William H. Comley suggested a "fresh start" in a recent memorandum because of technical omissions from the pleadings.

Hold Rites for Weiss

Funeral services were held yesterday for Alfred Weiss, 67, from Riverside Chapel. Weiss, pioneer in film production, died on Wednesday. He is survived by his widow and two daughters. Burial was in Union Fields, Brooklyn.

Houses Seek Tax Cut

ROCHESTER, Nov. 24.—Suits against the city over tax assessments for 1941 have been joined by two theatres here. Cuts are sought by the owners of the RKO Palace Building and the operators of the Temple.

Critics' Quotes . . .

"BITTER SWEET" (M-G-M)

Lavishly staged, evenly paced, and the music and story have been nicely blended together . . . an engaging bit of screen entertainment.—*Kate Cameron, New York Daily News.*

Jeanette MacDonald-Nelson Eddy fans were well pleased . . . a piece of rewriting which altered the original mood of the play and much of Coward's scintillating dialogue and left in its place just another movie operetta.—*Lee Mortimer, New York Daily Mirror.*

While the original songs remain to make the show a melodious delight, much of the charm of the original stage presentation in 1929 has vanished. —*Howard Barnes, New York Herald Tribune.*

For the idolatrous fans of the star singers, this sugared "Bitter Sweet" may be a delectable dish.—*Bosley Crowther, New York Times.*

"TIN PAN ALLEY" (20th Century-Fox)

Full bodied popular entertainment because it is directed with verve and deftly assembled . . . made of familiar materials, but it should amuse you, nevertheless. Good show.—*New York Times.*

One of the most enjoyable bits of honest entertainment shown on any movie screen this season.—*Lee Mortimer, New York Daily Mirror.*

Compares favorably with "Alexander's Ragtime Band." . . . Director Walter Lang has done a fine job of coordinating the old tunes with the movement of the story.—*Kate Cameron, New York Daily News.*

A gay and lavish musical with a well-picked cast making the most of a story that achieves a neat balance of tears and laughter to match the musical interludes . . . as rounded entertainment the picture is richly entertaining.—*Howard Barnes, New York Herald Tribune.*

"THE LETTER" (Warners)

It's hard to say just how this film will fare at the box-office. It's unusual and follows none of the prescribed movie rules. There are many who may think the pace is too deliberately measured, but this reviewer personally found it one of the most engrossing pictures of the year.—*Los Angeles Examiner.*

A living event of atmosphere and fine acting . . . the whole manner and mood of this picture are superior indeed, and it is likely to score a sensational hit.—*Edwin Schallert, Los Angeles Times.*

"YOU'LL FIND OUT" (RKO)

Kyser and his band play some lively and melodious tunes which help a lot to make you forget how trite the story is.—*William Boehnel, New York World-Telegram.*

Takes all the hokum of old mystery thrillers and frankly uses it, with Kay Kyser spoofing story and himself all the time . . . in the same mood as "The Ghost Breakers," less witty but more musical . . . the audience is the winner. —*Eileen Creelman, New York Sun.*

Kay Kyser's large, ready-made audience will go for this picture with open arms.—*Lee Mortimer, New York Daily Mirror.*

A great dish of entertainment . . . for laughs combined with chills you can't beat this one.—*Los Angeles Examiner.*

"SEVEN SINNERS" (Universal)

This Universal offering may provide an hour and a half's entertainment if you want to take it as a general travesty of tropic romancing and, in particular, as a burlesque of the Dietrich "Blue Angel" characterization.—*Newsweek.*

The film has a value as entertainment it would not ordinarily possess without her (Marlene Dietrich) presence . . . what is generally known as entertainment.—*Gilbert Kanour, Baltimore Evening Sun.*

An ordinary South Seas romance film. The fetching Marlene Dietrich is its chief appeal.—*Norman Clark, Baltimore News Post.*

A lot of noisy, robust fun.—*Bosley Crowther, New York Times.*

First-rate entertainment, distinguished by the re-emergence of Marlene Dietrich in the sort of role at which she is a past mistress and which she should never have forsaken.—*Howard Barnes, New York World Telegram.*

"A DISPATCH FROM REUTER'S" (Warners)

Often an exciting drama and sometimes draggy biography. It is interesting because of its historical background, and it is highly entertaining because of an excellent portrayal by Edward G. Robinson.—*Jimmy Starr, Los Angeles Herald Express.*

The production may carve no new paths in biographical narrative, but is one of the most representative of its type and a superlative movie.—*Philip K. Scheuer, Los Angeles Times.*

It is hard to distinguish this 19th Century film biography from many of its undistinguished predecessors.—*Time.*

"A LITTLE BIT OF HEAVEN" (Universal)

Seems like a sequel to "The Underpup." . . . Eugene Pallette and Stuart Erwin garner a number of laughs, but it is Billy Gilbert's gags that provoke the heartiest response from the audience.—*Kate Cameron, New York Daily News.*

Once again Joe Pasternak has made use of every trick in the old master's bag and produced a picture that should get a sigh of approbation from every mother and father and every soft-hearted person the world over.—*Lee Mortimer, New York Daily Mirror.*

"KNUTE ROCKNE—ALL AMERICAN" (Warners)

The best of all the football pictures that have come out of Hollywood . . . will prove inspirational to many a youthful athlete.—*Baltimore News Post.*

'Margie,' Garber $11,000, Milwaukee

MILWAUKEE, Nov. 24.—Best grosser in a slow week was "Margie," with Jan Garber and his band and Billy Gilbert at the Riverside, taking $11,000. "Escape" and "Dulcy" scored $5,000 at the Palace and $7,100 at the Wisconsin.

Estimated takings for the week ending Nov. 19-21:

"They Knew What They Wanted" (RKO)
"Tugboat Annie Sails Again" (W.B.)
WARNER—(2,400) (30c-40c-55c), 6 days. Gross: $4,000. (Average, $4,500)
"Escape" (M-G-M)
"Dulcy" (M-G-M)
PALACE—(2,400) (30c-40c-55c) 6 days. Gross: $5,000. (Average, $4,000)
"North West Mounted Police" (Para.)
"Dr. Kildare Goes Home" (M-G-M)
STRAND—(1,400) (44c-65c) 6 days. 2nd week. Gross: $2,400. (Average, $1,500)
"Escape" (M-G-M)
"Dulcey" (M-G-M)
WISCONSIN—(3,200) (30c-40c-55c), 6 days. Gross: $7,100. (Average, $5,500)
"Margie" (Univ.)
RIVERSIDE—(2,700) (30c-40c-50c) 7 days. Stage: Jan Garber, Billy Gilbert. Gross: $11,000. (Average, $6,500)

'Escape' New Haven Winner with $9,500

NEW HAVEN, Nov. 24.—"Escape" and "Blondie Plays Cupid" at the Loew-Poli grossed $9,500. "Mark of Zorro," coupled with "Haunted Honeymoon" in the second week at the College, took $3,100. The weather continued fair.

Estimated takings for the week ending Nov. 21:

"Mark of Zorro" (20th-Fox)
"Haunted Honeymoon" (M-G-M)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $3,100. (Average, $2,700)
"Escape" M-G-M)
"Blondie Plays Cupid" (Col.)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $9,500. (Average, $8,000)
"Arise, My Love" (Para.)
"Cherokee Strip" (Para.)
PARAMOUNT—(2,348) (39c-50c) 5 days, 2nd week. Gross: $2,500. (Average, $4,000)
"Too Many Girls" (RKO)
"Ramparts We Watch" (RKO)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $3,900. (Average, $5,000)

'Arise' With $14,000 Scores in Baltimore

BALTIMORE, Nov. 24.—Pre-holiday business was only fair. "Arise My Love" did excellent business at Keith's, with $14,000.

Estimated takings for the week ending Nov. 20:

"Wyoming" (M-G-M)
CENTURY—(3,000) (15c-28c-44c) 7 days. Gross: $10,000. (Average, $10,000)
"Arise, My Love" (Para.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $14,000. (Average, $9,000)
"Mark of Zorro" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $6,500. (Average, $7,000)
"Mexican Spitfire Out West" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 6 days. Ken Murray on a variety show; "All American Collegiate Revue." Gross: $15,000. (Average, $14,000)
"Tugboat Annie Sails Again" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 5 days. Gross: $7,000. (Average, $12,000)

Is Named Receiver

NEW HAVEN, Nov. 24.—Julius Maretz has been named successor receiver of rents in the foreclosure matter of Arnold Gordon, trustee against Forest Theatre Corp., operator of the Forest, West Haven, following the resignation of William B. Hall.

Cagney Due East

HOLLYWOOD, Nov. 24.—James Cagney will leave for a vacation at his home at Martha's Vineyard, Mass., upon completion of his current picture.

Two New FM Permits Are Given by FCC

WASHINGTON, Nov. 24.—Two more installations have been added to the list of FM stations for which construction permits have been granted by the Federal Communications Commission. Travelers Broadcasting Service Corp. has been granted a permit for a new station at Hartford, Conn., on 45,300 kilocycles with a coverage of 6,100 square miles and a population of 1,118,000, and General Electric Co. has won approval for a station at Schenectady, N. Y., to cover 6,600 square miles with a population of 967,700.

A permit also has been issued to the Kokomo Broadcasting Corp. for a new 1,420-kilocycle, 250-watt station at Kokomo, Ind., and changes in facilities were granted a number of stations, as follows:

WCOV, Montgomery, Ala., increase power from 100 to 250 watts; WTSP, St. Petersburg, Fla., change frequency from 1,370 to 1,350 kilocycles and increase power from 250 watts to 1,000 watts day, 500 watts night; WAIM, Anderson, S. C., increase power from 100 to 250 watts; WDEL, Wilmington, Del., increase power from 250 watts night, 1,000 watts day to 5,000 watts; WAPO, Chattanooga, Tenn., increase power from 1,000 watts day, 500 watts night, to 5,000 watts day, 1,000 watts night; WJBO, Baton Rouge, La., increase power from 1,000 to 5,000 watts; KSAL, Salina, Kan., increase power from 500 to 1,000 watts; WISN, Milwaukee, increase power from 250 watts night, 1,000 watts day, to 5,000 watts; and WORL, Boston, increase day power from 500 to 1,000 watts.

Construction Permit Issued

Applications for construction permits have been received from Oscar C. Hirsch for a 1,500-kilocycle, 250-watt station at Cairo, Ill., and Chattahoochee Broadcasting Co., for a 1,420-kilocycle, 250-watt station at Columbus, Ga.; Station WCAO, Baltimore, filed an application for increase of power from 500 watts night, 1,000 watts day, to 5,000 watts, and Station WABI, Bangor, Me., submitted an amended application for change of frequency from 560 to 790 kilocycles and increase of power from 1,000 to 5,000 watts.

The commission has ordered a hearing on the application of Station WTEL, Philadelphia, for change of frequency from 1,310 to 1,500 kilocycles, increase of time from sharing to unlimited and increase of power from 100 to 250 watts. The date of the hearing will be set later.

New Station in Mexico

MEXICO CITY, Nov. 24.—Active radio stations here have been increased to 31 with the inauguration of XERH, 1,430 kilocycles, by *Hoy*, a local magazine. Studios of the station are in the Hotel Regis.

Raymond Blank Ad Head

DES MOINES, Nov. 24.—Raymond Blank has taken the post of advertising director of Central State Theatre Corp.

Off the Antenna

ARMY and Navy men stationed all over the world will be able to follow the Army-Navy football game at Philadelphia Saturday from the opening kickoff to the final whistle. NBC's short wave stations, WRCA and WNBI, will train their beams to Latin America, and tieups have been arranged with Westinghouse and General Electric to carry the NBC broadcasts to other parts of the world.

WGEA, Schenectady, will be beamed to Europe; WGEO, Schenectady, will transmit on the Latin American beam; KGEI, San Francisco, will broadcast to the Orient. The two transmitters of the Westinghouse station, WPIT, will be beamed to Europe and South America, while WLWO, the Crosley station at Cincinnati, will also be on the Latin American beam.

• • •

Purely Personal: *Ben Gross, radio editor of the* Daily News, *will be guest on "Columbia's Lecture Hall" at 3:45 this afternoon. . . . George S. Kaufman, the playwright, will be guest of Lanny Ross on "Memory Lane" over CBS tomorrow at 7:15 P.M. . . . Bill Hay, announcer on the "Amos 'n' Andy" show, recently completed his 15th year in radio. . . . Ruth Nagel, daughter of Conrad Nagel, will co-star with her father on two "Silver Theatre" programs over CBS during the Christmas season. . . . Jacques Des-Baillets, commercial program producer for the Canadian Broadcasting Corp., has left for England to join the C.B.C. Overseas Mobile Unit. He will replace Gerard Arthur as commentator on the short wave broadcasts to Canada. The Brooklyn Chamber of Commerce has selected Red Barber for the civic award for* 1940.

• • •

RCA Institutes, an RCA subsidiary, is making its courses available to organizations not affiliated with the parent company. First of the series to non-affiliates is a course on non-radio uses of the vacuum tube to the Leeds & Northrup Co.

• • •

WOV is required to reinstate two announcers and two engineers with payment of all back wages, it was ruled Friday by N. Y. Supreme Court Justice Aron Steuer, who upheld an arbitration award previously granted in favor of the four employes. WOV was compelled to go off the air for 24 hours several weeks ago when announcers and technicians walked off their jobs as a result of a dispute between the station and the American Communications Association, a C.I.O. affiliate.

• • •

Program News: *"Sports-Time," a Monday-through-Saturday feature over WABC, will be extended to the entire CBS network beginning tonight. It will continue to be heard at* 11 *P.M. Ted Husing, Mel Allen and Warren Sweeney will handle the microphone. . . . Children from* 10 *to* 16 *years of age will be heard on a discussion program on juvenile problems, beginning tomorrow at* 4:20 *P.M. over WMCA.*

A 'Lock-In'

Mexico City, Nov. 24

RADIO Station XEFO here, owned by the Party of the Mexican Revolution, has taken drastic action to assure the presentation of its daily amateur hour. The amateurs are locked in the studio when the show is ready to start.

The lockup was decided upon to prevent a repetition of the station's embarrassment when it was unable to put on an amateur show because all the performers ran out when they saw the microphone.

Urges Variety Club For Toronto Trade

TORONTO, Nov. 24.—President Clair Hague of the Canadian Picture Pioneers has launched a move for the organization of a Variety Club in Toronto for the purpose of providing a social center for film trade veterans and raising funds for administrative and charity accounts. Hague pointed out that the Pioneers had sponsored many features for the benefit of worthy causes but the organization had little money of its own.

Rensselaer Finally Votes Sunday Films

RENSSELAER, N. Y., Nov. 24.—After a 20-year battle, this city, last outpost in the state which bans Sunday films, capitulated. The Common Council has passed an ordinance allowing Sunday films from 2 P. M. to midnight, despite the opposition of the clergy.

Cincinnati's Game Attendance at High

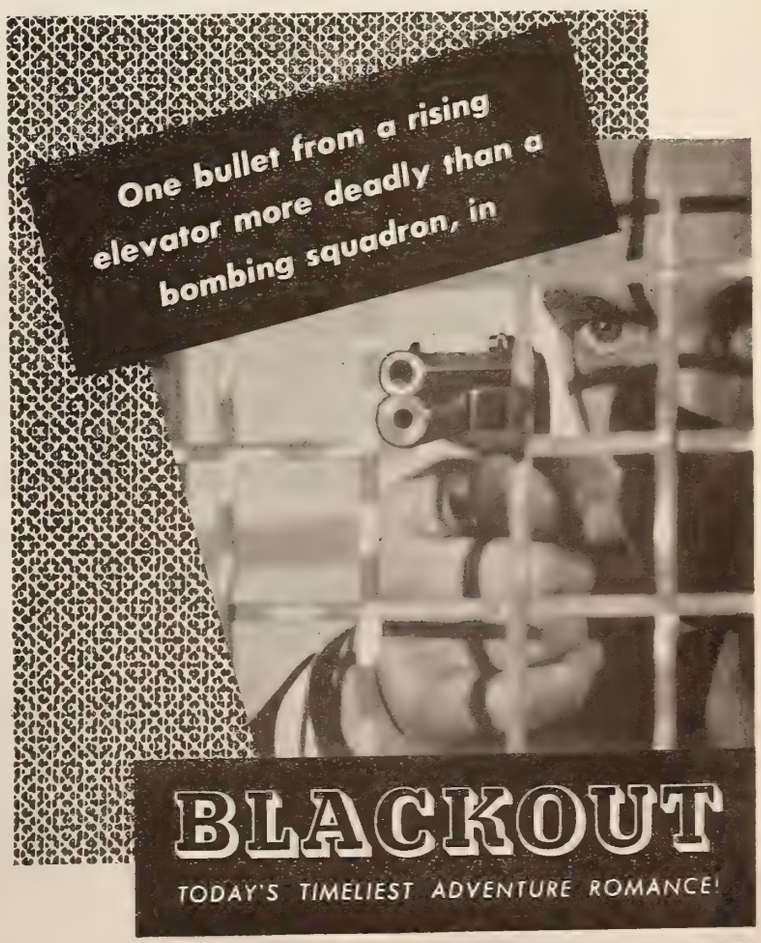
CINCINNATI, Nov. 24.—A new high in attendance and a new low in the average net cost per person were set in chance games here in October, according to figures just released by Chief of Police Eugene T. Weatherly, based on reports of sponsors.

Aggregate attendance at 253 licensed games was 308,538. Gross receipts were $222,818.29 and prizes, $54,246.98, leaving net of $168,571.31 to sponsoring organizations. Average net cost per player was 54.8 cents. September attendance at 221 games was 267,404; gross receipts, $199,503.16; prizes, $46,341.36 and net, $153,161.71. Average net cost per player was 57.3 cents.

2,500 Attend K. C. Variety Club Party

KANSAS CITY, Nov. 24.—The best attended of the annual Charity Balls was held at Pla-Mor here Friday by the Variety Club. With Herbie Kay and his orchestra playing, more than 2,500 people, members of the industry and the public, attended the function. Proceeds go to the various charitable activities of the club.

In charge of the ball this year, as in several years past, was Earl Jameson. Other committee heads were Sam Abend, tickets; Homer Blackwell, program; Barney Joffee and Jerry Zigmond, entertainment; Jay Means, who is chief barker, advertising and publicity, and Ward Scott, decorations.



Released thru UNITED ARTISTS

YES

It's A Wedding

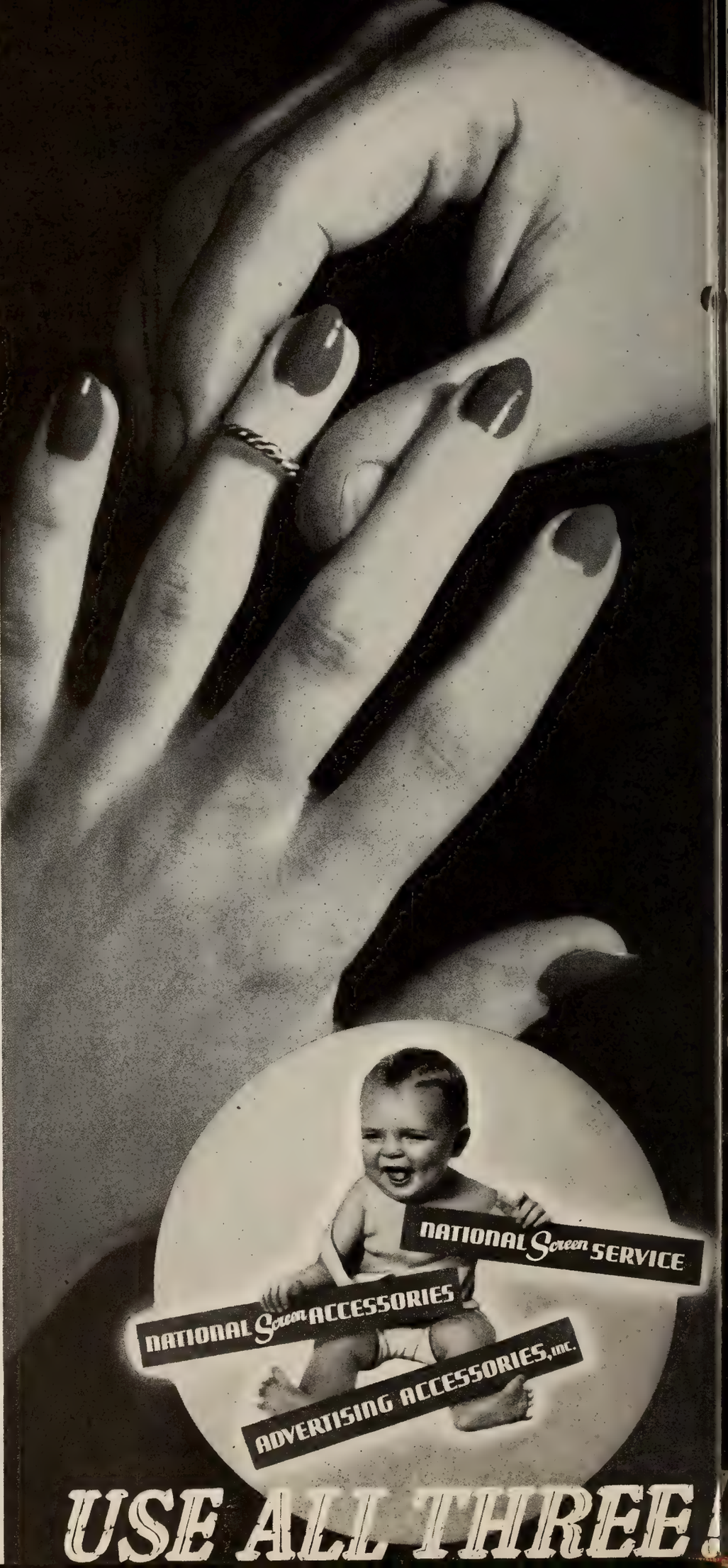
Advertising and the box-office . . . one can't get along without the other.

Advertising and showmanship... that's a marriage too... one can't live without the other.

Yes...it's a wedding...and here at National Screen Service a nation-wide organization devotes its entire existence toward keeping that marriage a happy one . . . a healthy one... a successful one so that the wedding of advertising and your box-office . . . advertising and showmanship . . . will be a perpetual and profitable honeymoon.

For our every waking moment sees a constant drive towards newer... better... more appealing theatre advertising...mating your box-office with the admission price... thus selling more tickets.

Get the money-making habit . . . use TRAILERS . . . LOBBY DISPLAYS . . . STANDARD ACCESSORIES by
...THE PRIZE BABY OF THE INDUSTRY



USE ALL THREE!

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 103 NEW YORK, U. S. A., TUESDAY, NOVEMBER 26, 1940 TEN CENTS

Opposition to Decree Flares On Two Fronts

SETOA Decides on Suit; Neely Bill Asked

Opposition to the consent decree flared up on two fronts yesterday, one designed to challenge by litigation the enforceability of the decree, and the other seeking immediate Congressional action on the Neely anti-block booking bill.

The Southeastern Theatre Owners Association, an M. P. T. O. A. affiliate, voted in convention at Atlanta to file suit in Federal court to prevent enforcement of the decree. This followed talks by Ed Kuykendall, M.P.T.O.A. president, and R. B. Wilby of the Wilby-Kincey circuit, a Paramount affiliate.

Approximately 40 exhibitors, representing 300 theatres, attended the meeting, which was called by M. C. Moore of Jacksonville, Fla., president, to decide the organization's stand on the decree.

Meanwhile, demand for action on the Neely bill in the present Congress was voiced by the Motion Picture Research Council through Dr. Ray Lyman Wilbur, president, who asserted that "the decree has convinced us that only temporary and inadequate relief from the evils of block booking can be hoped for under the Sherman Act."

The Department of Justice revealed that it would have its supervisory bureau for the industry, authorized by the consent decree, set up within three or four weeks. Headquarters will be in Washington. The bureau, in addition to checking on enforcement and operations of the decree and the arbitration system, will maintain a general observation

(*Continued on page 3*)

Federation Drive Luncheon Today

David Bernstein, vice-president and treasurer of Loew's, and Albert Warner, vice-president of Warners, co-chairmen of the amusement division of the campaign of the New York and Brooklyn Federations for the Support of Jewish Philanthropies, will hold a luncheon meeting today at the Hotel Astor. Committee chairmen of the several branches of industry will report on the organization of their groups for the annual drive.

They Always Pass

San Francisco, Nov. 25.

THE "no pass" rule recently placed in effect by several downtown theatres for special pictures evidently has irked certain city officials. They have dug deep into the record and come up with a 1909 law giving the mayor, supervisors, and several lesser office-holders the right to enter—at any time—any building used for theatrical entertainment. So far they haven't taken advantage of the law, although it is still on the books.

FWC and Universal In Dispute Over Deanna Durbin Film

"If it is all right for Fox West Coast to move over films from the Chinese and the State theatres, in Hollywood, to the United Artists and the Beverly Hills, then we consider it to be all right for Universal to play a move over date from the RKO Hillstreet and the Pantages, to the Hawaii Theatre in that city. The prices of admission were not lowered. We have not violated any agreement regarding second run availability." A Universal official so stated last night in regard to the present controversy with Fox West Coast (Skouras) regarding the Deanna Durbin picture, "Spring Parade."

Charles P. Skouras, vice-president of Fox West Coast, declared yesterday, in Los Angeles that the film was not to be booked in any Fox West Coast houses.

Universal officials here in turn stated that this suited them as they believed that they can dispose of their

(*Continued on page 3*)

SUNDAY PLAYS FAIL TO HURT PICTURES

London Money Pact Includes 'U' With Amount Increased

Universal is included in new proposals for a currency agreement with Great Britain. The previously proposed $12,000,000 withdrawal allowance has been increased correspondingly to cover that company. The increase is about $1,000,000, according to unofficial reports.

The exact amount of the increase was not officially disclosed due to the fact that the new proposals from London were found unacceptable by major company foreign department heads who considered them at a meeting at M.P.P.D.A. headquarters yesterday. Counter-proposals were forwarded to London following the meeting and the negotiations on the new monetary agreement will continue.

The earlier proposal from London designated $12,000,000 as the amount which could be withdrawn during the next 12 months. However, the American companies assumed that this amount was applicable to the seven major companies which were parties to the old monetary agreement. It developed, however, that London intended the allotment to cover eight companies, inclusive of Universal, which had a separate agreement last year, but under the proposals received here yesterday revised the withdrawal allotment upward in response to the American companies' protests that they had not understood that Universal was included in the earlier negotiations.

Broadway Grosses Boom, Reflecting Nationwide Box-Office Upswing

Ten legitimate plays, eight of which were given their first performance under the Sabbath Day show ruling of Equity, had little or no effect on Broadway's film grosses on Sunday night, managers reported yesterday. Two were performed for charitable causes.

Motion picture theatre grosses in the Times Square district soared over the weekend. Officials state that this is but a reflection of conditions around the country, as the effect of the national defense program spending begins to be felt.

Crowds literally roared through Times Square throughout the weekend, beginning with Thanksgiving Day, and good product together with clear, warm weather, unusual at this time of the year, conspired to bring about an exceptionally good business period.

It was the opinion of James F. Reilly, executive secretary of the League of New York Theatres, that seven of the eight shows enjoyed a Sunday night business, better by comparison, than that which has been ordinarily experienced by them on a Monday night.

The shows which played were: "Beverly Hills," "Blind Alley," "Charlie's Aunt," "Hellzapoppin'," "George Washington Slept Here," "Johnny Belinda," "Kind Lady," "The Man Who Came to Dinner," "Tobacco Road" and "Separate Rooms."

Under Equity's rule, the Sunday night show can take the place of a Monday night performance.

At all eight shows, the demand was mostly for inexpensive seats, and the balcony seats at nearly all the plays

(*Continued on page 3*)

800 PARA. THEATRES JOIN IN BALABAN TESTIMONIAL

More than 800 theatres owned by or affiliated with Paramount are participating in the Paramount theatres testimonial drive for Barney Balaban, in observance of his fifth year as president of the company. The drive opened Thanksgiving Day and will close on Christmas Day.

On Jan. 23 the company will give a testimonial banquet to Balaban in Chicago, which will be attended by the Paramount theatre operators and partners, many home office and studio executives and theatre managers from every participating circuit who are adjudged winners in the drive.

The drive is designed to improve operating results during the normally low business period from Thanksgiving to Christmas.

Reviewed Today

A Hollywood review of "Ellery Queen, Master Detective" will be found on Page 2 and of "Charter Pilot" on Page 3. New York reviews of "The Philadelphia Story," "Always a Bride" and "The Border Legion" are on Page 4.

Bombs Raze Para. Birmingham House

Reports reaching the Paramount home office yesterday indicated that the Futurist, 4,000-seat theatre in Birmingham, in the heart of the English Midlands, was demolished in a Nazi bombing raid late last week. Reports indicated that no one was injured.

Universal's Drive From Dec. 8-May 10

Universal's testimonial sales drive for W. A. Scully, vice-president and general sales manager, will begin Dec. 8 and end May 10. It will be sponsored by the Universal studio. Matthew J. Fox, vice-president and studio executive, will serve as honorary captain of the Western sales division, and Milton Feld, Universal producer, as honorary captain of the Eastern division.

Cash prizes will be awarded for best all-around sales and liquidation performances and for winners in the East-West competition. The best eight branches in each of the two divisions will share in the prize money for the latter competition. In addition, prizes will be awarded the top three district managers and the winning division head. Jules Levey, producer of "The Boys from Syracuse," has posted additional prizes for the best sales results on that picture.

MAINLINERS
to
LOS ANGELES



NO CHANGE OF SLEEPERS

The Continental Lv. 5:10 pm
The Overland Flyer Lv. 11:30 pm

Luxurious thru coast-to-coast Mainliners — at United's high, smoother flight levels.

Travel agents, hotels, or

UNITED AIR LINES

67 Wall St. or 58 E. 42nd St.
MU-2-7300

Personal Mention

MR. AND MRS. EDWIN L. WEISL return from the Coast tomorrow.

•

Leo Spitz leaves the Coast today en route here, with a stopover planned in Chicago.

•

Nate J. Blumberg, Universal president, and Mrs. Blumberg, will leave for the Coast on Friday to remain about a month.

•

Julius Gordon of the Gordon & Clemmons Circuit, Beaumont, Tex., is in town for a week.

•

Arthur H. Lockwood, president of the Connecticut M.P.T.O., is on a New Orleans cruise.

•

Elmer Lux, RKO branch manager in Buffalo, has returned to his office after a trip to Albany to confer with Bernard Kranze, exchange manager.

•

Nate Rosen, manager of the Royal, Baltimore, is recovering in Jefferson Hospital, Philadelphia, from injuries sustained when struck by a car.

•

Kay Kamen, Hal Horne, Martin Moskowitz and Joseph Moskowitz at Lindy's (51st St.) yesterday for lunch.

•

Joseph Vogel, Harry Buckley, Abe Schneider, Max Weisfeldt and Arthur Silverstone having lunch yesterday at Lindy's (next to the Rivoli).

•

Dorothy Carr, inspection clerk at the 20th Century-Fox Des Moines office, is leaving soon with her husband for Los Angeles. Mary Kingsley will replace her.

•

F. R. Moran, manager of Republic Midwest at Des Moines, has returned from a business trip to Chicago.

Herman Wobber, general manager of distribution for 20th Century-Fox, is due here today from studio conferences.

•

F. J. A. McCarthy, Universal Eastern sales manager, is in Dallas on business. William J. Heineman, Western sales manager, has left for Des Moines.

•

William J. Kupper, 20th Century-Fox Western division manager, has returned from a tour of exchanges with M. A. Levy, Kent Drive leader.

•

Ed Dubinsky Durwood, head of the Dubinsky circuit, Kansas City, is visiting in the East.

•

Mrs. Paul Kleinman, wife of the manager of the Pearl Theatre, Philadelphia, last week became the mother of a daughter.

•

Arthur DeTitta of Movietone News and Mrs. DeTitta were guests of Lou Brown, Loew-Poli publicity chief, at New Haven over the week-end.

•

Terry Ginsberg, secretary to Harry Kaplowitz of Warner Theatres, will be married Thursday to Lawrence Siegel.

•

Arthur Lee, Harry Thomas, Ralph Austrian, Sam Shain, Ed Schnitzer, Edmund C. Grainger, George Weltner, Austin Keough, John W. Hicks, William Orr, Morris Kinzler, Max A. Cohen, George Skouras, Max Dreyfus and Owen Davis at Nick's Hunting Room in the Astor yesterday for lunch.

•

Terry Ramsaye, Maurice Bergman, Milton Silver, Hal Hode, Oscar A. Doob and Ernest Emerling having lunch yesterday at the Tavern.

Hollywood Review

"Ellery Queen, Master Detective"

(Columbia)

Hollywood, Nov. 25.—Popularized to a wide and varied public by radio program and book, the character of Ellery Queen, Master Detective, is here brought to the screen by Producer Larry Darmour in the person of Ralph Bellamy and in a picture qualified to serve as the start of a profitable series. Opposite Bellamy is Margaret Lindsay, and the support includes Charley Grapewin, James Burke, Marsha Hunt, Fred Niblo, Charles Lane, Ann Shoemaker, Marian Martin, Douglas Fowley and others.

The script by Eric Taylor, from a story by Ellery Queen, opens in a health resort with the athletic proprietor thereof discovered suffering an incurable ailment. His death under circumstances suggesting murder, follows, with many a suspect brought into focal attention as Queen, the police and a young woman of whom Queen is enamoured endeavoring to track down the culprit. How Queen proves the deceased committed suicide as result of a fallacious diagnosis perpetrated with felonious intent makes up the substance of the plot.

R. C. Flothow served Darmour as associate producer, Kurt Neuman as director, combining efforts to establish for the first Ellery Queen picture a wavelength, so to speak, to be followed in future efforts and to make of the central figure a well rounded personality.

Running time, 69 minutes. "G"* Roscoe Williams

**"G" denotes general classification.*

'Corn Is Green' to Open Here Tonight

"The Corn is Green," a new play by Emlyn Williams, produced and directed by Herman Shumlin and starring Ethel Barrymore, opens tonight at the National. Others in the cast are Richard Waring, Mildred Dunnock, Edmund Breon and Rhys Williams. Richard Maney is handling advertising and publicity for the show.

Silverstone Leaves For N. Y. Tomorrow

Hollywood, Nov. 25. — Maurice Silverstone, United Artists chief executive, is scheduled to leave for New York by train on Wednesday following the company's annual stockholders' meeting and conferences with U. A. producers.

Edward C. Raftery, attorney for the Fairbanks estate, left for New York by train today and Charles Schwartz, attorney and board member for Charlie Chaplin, will leave by train tomorrow. Silverstone began conferences today with non-owner U. A. producers which are scheduled to last through Wednesday. The discussions are concerned with production, distribution and management affairs, with particular attention to the probable effect of the Federal consent decree on U. A. sales activities, though the company is not a party to the decree.

Farewell Dinner Is Planned for Broidy

Boston, Nov. 25.—A farewell dinner at the Copley-Plaza Hotel, will be tendered on Saturday to Steve Broidy, New England Monogram sales representative, who has been ordered to the Coast to become general sales manager. He will leave in mid-December. Broidy's departure will leave vacant the presidency of the Variety Club.

W. B. Set Holiday Party

The Warner Club annual Christmas party for youngsters will be held Saturday, Dec. 21, at 2 P. M. at the Brooklyn Vitaphone Studio.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

Sunday Plays Fail to Hurt B'way Films

(*Continued from page* 1)

were sold out, while only about 50 per cent of the available orchestra seats were sold.

This week's film leader is "Tin Pan Alley." The 20th Century-Fox musical is racing for a mark at the Roxy on its first week, with a stage show, which will be second only to that attained by the same company's "Alexander's Ragtime Band." The picture on its first four days has already grossed $47,000, which in theatre parlance may be described as "terrific."

$45,000 Estimated for 'The Letter'

Another box-office humdinger which is standing up customers and turning them away is "The Letter," at the Strand, where the picture is accompanied on the stage by Ozzie Nelson and his band, besides Harriet Hilliard, comely singer. It is estimated that this picture will do easily $45,000, and that is considered excellent.

Radio City Music Hall officials feel that M-G-M can take a deserving bow on "Bitter Sweet," since that film has grossed $68,000, on its first four days, considered a magnificent figure, here, and the picture is scheduled to stay at the theatre, with stage show intact, for at least two weeks.

Alexander Korda's United Artists release, "The Thief of Bagdad," will follow.

'Police' to Go Fifth Week

Robert Weitman, managing director of the Paramount, is so enthusiastic about the third week's gross of "North West Mounted Police" that even before it begins on its fourth week, tomorrow, he has penciled it in for a fifth week. The picture is being accompanied this week by Glen Gray and his band, and it will complete the week with $49,000.

Universal's "Seven Sinners" is helping the Rivoli to a nice gross of $25,000.

Walt Disney's "Fantasia," selling at $2 top at the Broadway (capacity, 1,800 seats), will end a second week at capacity, with $27,500, or thereabouts. According to Hal Horne, vice- president of the Disney company, the picture is selling well in advance. Even Dorothy Thompson, devoted her column to the film, in yesterday's *Herald Tribune*.

"The Dictator," begins its seventh and last week at the Capitol, but will continue on its two-a-day run at the Astor, with business holding up unusually well, according to officials.

"Angels Over Broadway" at the Globe was also big with an estimated $8,200 for its first week and an estimated $2,800 over the weekend. "Blackout" will go into the Globe Saturday. At the Rialto, "Give Us Wings" ends a one-week run tonight and should draw an estimated $6,000 with "The Ape" bowing tomorrow.

Schmidt Talks in Boston

BOSTON, Nov. 25.—Art Schmidt, M-G-M publicity manager, will discuss motion picture advertising and publicity at a luncheon of the Advertising Club here today.

Hollywood Review

"Charter Pilot"

(20th Century-Fox)

HOLLYWOOD, Nov. 25.—All the comedy and thrills that the running time and the budget afforded have been put into 20th Century-Fox's "Charter Pilot" by Executive Producer Sol M. Wurtzel, director Eugene Forde and the four writers who worked on the story.

The picture is about commercial aviation, and the fight of two airlines to obtain the gold conveying contract for a Honduras mine. Chief protagonists are Lloyd Nolan, as an intrepid, devil-may-care flier, and Lynn Bari, his girl friend who, as a radio writer-producer, has a program devoted to his exploits. The climax comes with a broadcast of a flight over South American mountains during which Nolan and the scheming head of a rival airline stage a battle while the plane is out of control.

Others in the cast are Arleen Whelan, George Montgomery, Hobart Cavanaugh, Henry Victor, Etta McDaniel, Andrew Tombes, Charles Wilson and Chick Chandler. Stanley Rauh and Lester Ziffren adapted the story by J. Robert Bren and Norman Houston.

A Los Angeles preview audience was enthusiastic.

Running time, 72 minutes. "G"*

VANCE KING.

**"G" denotes general classification.*

FWC, Universal in Dispute Over Film

(*Continued from page* 1)

picture to Coast independents at aggregate rentals greater than that which they would have received from the Skouras interests.

The picture is stated to have been moved over by Universal to the Hawaii, one of the newer houses in Hollywood, after it was suddenly ordered to be withdrawn from the RKO Hillstreet and the Pantages theatres, at the request of RKO officials in New York, being replaced by "Too Many Girls," to give this picture the benefit of Thanksgiving.

Milroy Anderson, manager of the RKO Hillstreet, which books in unison with the Pantages, gave as a reason for withdrawing "Spring Parade" that "it wasn't holding up gross."

Charles Feldman, Universal Exchange manager, stated that the Hawaii booking was made "because we felt the picture should have had a longer first run and that it still had a great deal of box-office stamina in it."

"Spring Parade" was linked on a bill with RKO's "Men Against the Sky," and had grossed an aggregate gross of $24,000 on its first week, with $12,300 against $7,000 average at the Pantages, and $11,700, against $6,500 average at the RKO Hillstreet, according to company officials.

Feldman stated that no decision to sell the picture away from Fox West Coast has as yet been made. He made no comment on the Skouras declaration.

Opposition to Decree Rises on Two Fronts

(*Continued from page* 1)

of the industry to prevent the rise of new "abuses" and to receive exhibitor complaints.

Several exhibitor organizations have stated that they are considering filing court actions to prevent the decree being put into effect, but the Southeastern T.O.A. is the first to actually authorize such action. Among the organizations contemplating such action are the Pacific Coast Conference of Independent Theatre Owners, the I.T.O.A. of New York and New York Allied.

Indiana ATO Told About Film Deals

INDIANAPOLIS, Nov. 25.—Sales have been completed nationally on 67.8 per cent of all films offered for this season, Sidney Samuelson of Philadelphia, chairman of the Allied Information Department, told the Associated Theatre Owners of Indiana convention which opened today at the Antlers Hotel.

Samuelson said that Allied's second annual product survey will be completed early in December. Contracts in Indiana are for 86.2 of the product.

See Big Dividends Saved When Para. Drops Preferred

Paramount will realize a net saving of approximately $550,000 annually in dividends on its first preferred stock if the issue is retired, as is now contemplated, Stanton Griffis, chairman of the Paramount executive committee, said yesterday.



Stanton Griffis

If current negotiations with banks are concluded satisfactorily, the $13,600,000 issue of first preferred stock will be called in at par plus dividends which may be due at the time. In addition to long term bank loans, the company's own cash will be used to retire the issue. Paramount and consolidated subsidiaries have more than $12,000,000 cash on hand, while non-consolidated subsidiaries have $9,000,000 additional cash, in which Paramount's equity is about 50 per cent.

The $550,000 saving represents the difference between the annual dividend requirements on the first preferred and the interest which would be payable on the new bank loans.

There is no plan to retire the Paramount second preferred stock.

CHILDREN'S HOLIDAY PROGRAMS

Just the thing to solve your Saturday and Holiday booking problems.

COLUMBIA "HAPPY-HOUR" ENTERTAINMENTS

(Reg Trade Mark)

Now available • 60-Unit Programs 6 reels (1 hour) endorsed for children by club women from all parts of the nation.

•

FOR A SAMPLE BOOKING ASK YOUR COLUMBIA EXCHANGE FOR "HAPPY-HOUR" UNIT #67 *Featuring*

"PUSS IN BOOTS"



Endorsed by The Scarsdale Better Films Council

COLUMBIA PICTURES

Radio Defense Board Invites Memberships

WASHINGTON, Nov. 25.—Leading companies and organizations have been invited by the Communications Defense Board to appoint representatives to the Domestic Broadcasting Committee and the International Broadcasting Committee, both of which will act in an advisory capacity.

Invitations have been sent to all who are believed to desire participation in planning war time communication policies, and any one overlooked may request representation, Board Chairman James L. Fly explained.

With Lowell Mellett, for the Government Reports office, and Major Frank C. Meade, for the War Department, already named to the Domestic committee, invitations have been sent to A.T. & T., CBS, FCC, Federal Radio Education Committee, FM Broadcasters, Finch, MBS, National Association of Broadcasters, NBC, National Independent Broadcasters, National Television Systems Committee, Postal Telegraph, State Department, U. S. Independent Telephone Association and Western Union.

In addition to those already named to the International committee, including Nelson Rockefeller, coordinator of commercial and cultural relations among American republics, Gerald C. Gross, for the FCC, Rear Admiral Stanford C. Hooper, Navy Department, and Mellett, invitations have been sent to CBS, Crosley, General Electric, NBC, State Department, Westinghouse and World Wide Broadcasting Co.

AFM-NAPA Plea in Record Case Denied

WASHINGTON, Nov. 25.—The American Federation of Musicians and the National Association of Performing Artists were denied the right to appear as amicus curiae by the U. S. Supreme Court today in the Paul Whiteman case involving the use of records by radio stations.

Paul Whiteman, orchestra leader, brought suit against WNEW to restrain use of his records in a test case. The U. S. Circuit Court of Appeals ruled that WNEW had the right to use the records and that such use did not constitute copyright infringement.

Monopoly Hearing To Begin Monday

Washinton, Nov. 25.—FCC hearings on the monopoly report will be held on schedule next Monday, Chairman James L. Fly said today. Despite the fact that informed circles here still believe the FCC may consider a postponement later this week, Fly denied that the commission's legal department or anybody else had requested a postponement.

Feature Reviews

"The Philadelphia Story"

(M-G-M)

SPARKLING with witty dialogue and alive with situations which audiences found highly diverting during the year's run when it was produced by the Theatre Guild on Broadway, "The Philadelphia Story" brings to the screen a talented cast, a sophisticated tale and direction that keeps accelerating its pace.

Basically it is a story to prove that a woman's a woman, however frozen her exterior, and that there are good and bad people in all classes of society. For the first point, producer Joseph L. Mankiewicz has made the happy selection of Katharine Hepburn, who played the leading role in the stage play, and who, on the screen, reveals new warmth in her character. As for the second point, there have been assembled Cary Grant, James Stewart, Ruth Hussey, John Howard, Roland Young, John Halliday, Mary Nash, Virginia Weidler and several others.

Miss Hepburn appears to have struck a prophetic chord for exhibitors, when, having been discovered by too many witnesses during an escapade, she says, "You should sell tickets for this."

The madcap story begins with Grant returning to Miss Hepburn's home in time to find his divorced wife about to embark on another venture into matrimony—this time with John Howard, a fortune seeker. In an effort to win back Miss Hepburn, Grant attempts to break up the marriage and succeeds in getting two newspaper photographers into the house, Stewart and Miss Hussey.

Grant tries to humanize the goddess-like Miss Hepburn but has no luck at it until she tries champagne. After a grand drunk scene in which the entire company passes under the influence of Bacchus, and an even more lively hangover episode, Howard and Hepburn part company and the wedding guests are treated to the remarriage of the latter to Grant. Virginia Weidler should endear herself to audiences for her portrayal of the role of Miss Hepburn's young sister, and Stewart should earn special plaudits for the love scene with Miss Hepburn.

Donald Ogden Stewart adapted Philip Barry's play for the screen, while George Cukor directed.

Running time, 110 minutes. "A."* EDWARD GREIF

**"A" denotes adult classification.*

"Always a Bride"

(Warners)

"Always a Bride" is a light and gay comedy, whose unpretentious production does not handicap the players, the director or the film itself.

Rosemary Lane and George Reeves are co-starred with support by John Eldredge, Virginia Brissac, Francis Peirlot and others. The top members of the cast, particularly Reeves, are equipped with smart dialogue and they deliver it to best advantage.

The tale is that of a pretty girl, Miss Lane, engaged to marry the town's successful but dull business man, Eldredge. The marriage fails to materialize because Reeves interferes, and then marries Miss Lane. In order to support his bride, Reeves seeks a job, his first. Through political shenanigans, he becomes a dark horse candidate for mayor and is elected.

The screenplay by Robert E. Kent was based on a play by Barry Conners. Noel M. Smith directed and William Jacobs was associate producer.

Running time, 58 minutes. "G."*

"The Border Legion"

(Republic)

Republic again has delved into the apparently inexhaustible supply of sagebrush novels by Zane Grey and selected for screen treatment the author's story of an army of badmen in the West. Grey's "The Border Legion" is typical of his tales.

This version, as adapted by Olive Cooper and Louis Stevins, is told with Roy Rogers enacting the role of the young doctor who gallantly flees to the West after being accused of a crime of which he is innocent so that his friend, who is guilty, will not have to face the music. Prominent in the story are George "Gabby" Hayes, Coral Hughes and Joseph Sawyer.

Rogers becomes involved with the "Legion" when its leader, Sawyer, is wounded in a gun battle and he, Rogers, is called in. Rogers gains the confidence of the outlaws and attempts to lead them into a trap. They become aware of his plan and a battle follows.

Joseph Kane directed and acted as associate producer.

Running time, 58 minutes. "G."*

**"G" denotes general classification.*

I.A. Demands Cameramen's Jurisdiction

HOLLYWOOD, Nov. 25.—The seven-year feud between the I.A.T.S.E. and the American Society of Cinematographers broke into the open today as the union declared that all I.A. men must resign from the A.S.C. The fight started in 1933 when Alliance cameramen struck and the A.S.C. obtained a bargaining contract.

Hebert Aller, business representative of Studio Photographers Local 659, arrived by plane last night from New Orleans where he conferred with George Browne, I.A. president, and announced the organization would not grant a separate charter to the A.S.C., and that the Alliance would enforce the jurisdiction it claims over all camera work.

Pat Casey, producer labor contact, today had not been notified of the I.A. action by its officers. The A.S.C. pact has several years yet to run. The I.A. photographers' local agreement with producers covers all camera work except first cameramen, who are A.S.C. members.

Office Guild Named For Seven Studios

WASHINGTON, Nov. 25.—The National Labor Relations Board today announced certification of the Screen Office Employes Guild as the sole collective bargaining agency for the office and clerical employes of Columbia, RKO, Universal, Republic productions, Loew's, Walter Wanger Productions and Hal Roach Studios. The 20th Century-Fox Studios' Office Employes Guild was designated as agent for the same classes of employes at 20th Century-Fox.

In the seven studios at which it was designated, the S.O.E.G. received 909 votes against 41 against it, but at 20th Century-Fox it received only 156 against 242 for the studio organization.

S. P. G. Waives Dues For Men in Service

The membership of the Screen Publicists Guild has adopted a resolution providing that any member drafted or volunteering for the nation's armed forces shall continue as a guild member in good standing for the duration of his services, with all dues and assessments waived.

It further provides that the employer consider any such employe as having been granted a leave of absence, and at the conclusion of his service he shall resume his former position or an equal position at the current contract scale.

To Ban French Film

PROVIDENCE, Nov. 25. — Captain George W. Cowan, police amusement inspector, has informed the Avon Theatre that any application for a license to show the French Film, "Daybreak" will be turned down. Cowan explained his stand by saying the picture is on the Class C list of the Legion of Decency.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 104 NEW YORK, U. S. A., WEDNESDAY, NOVEMBER 27, 1940 TEN CENTS

3,000 Studio Workers Claim Extra Salary

Overtime to Be Taken Up In Pact Meetings

HOLLYWOOD, Nov. 26.—Three thousand of the 10,000 I.A.T.S.E. workers at the studios here have overtime coming to them for the last two years under the Wages and Hours Act, and some seek from $700 to $1,000 each, Harold V. Smith, chairman of the locals' business representatives, today told Pat Casey, producers' labor representative.

Following this disclosure, experts figured that the overtime pay claimed may run into hundreds of thousands of dollars. This and other matters will be taken up in negotiations beginning next Monday.

These negotiations will aim to amend the existing union bargaining

(*Continued on page 4*)

Harrold Reelected Indiana ATO Head

INDIANAPOLIS, Nov. 26.—Roy E. Harrold of Rushville was reelected president of the Associated Theatre Owners of Indiana as the organization closed its 14th annual convention at the Hotel Antlers here today.

(*Continued on page 4*)

Republic Budgets $50,000 Trade Ads

Hollywood, Nov. 26.—Republic today announced that it would spend $50,000, its greatest trade paper advertising budget, to advertise its "Melody Ranch." The ads will feature the line, "Gene Autry's first $500,000 all-star production."

Quarterly meeting of Republic's Pacific Coast sales heads was held today at the studio with H. J. Yates and M. J. Siegel, studio chief. Attending were J. T. Sheffield, Northwest franchise holder; Sid Weisbaum, San Francisco exchange manager, and Francis Bateman, Los Angeles branch head.

Air Raids Close 75 London Houses

London, Nov. 26.—A total of 75 film houses in the London district have been closed as a result of bombings, according to the most recent check-up. Of the total, 50 either are destroyed or cannot be repaired under present conditions.

Neely Bill Hopes Fade

WASHINGTON, Nov. 26.—Members of Congress today gave no indication that they recognize any need for action on the Neely block booking bill, such as was urged in the statement issued yesterday by Dr. Ray Lyman Wilbur, president of the Motion Picture Research Council, as a result of the organization's dissatisfaction with the consent decree.

There is a general impression that if the Department of Justice has found it economically inadvisable to set up any stiffer selling arrangement than the five-film block, action on the proposed legislation should be deferred until at least it was shown how the new setup would work out.

The House continues to meet only twice a week.

N.Y. Censor Made 926 Cuts in 1,762 Films Seen in Year

ALBANY, Nov. 26.—A total of 926 eliminations were made in 111 pictures out of 1,762 reviewed during the year from July 1, 1939 to June 30, 1940, according to the annual report of the New York State censor board, submitted by Edwin Esmond, director of the Motion Picture Division. The report was made to E. E. Cole, Commissioner of Education, under whose jurisdiction the censor board falls.

Nine pictures were rejected entirely, but three of these later were approved after revision.

The State received $311,800 in revenue from the tax of three mills per original foot of film collected for review. This was $12,777 more than the previous year, when receipts totaled $298,023. Net revenue to the state was $247,922, against $230,727 a year ago, since a $3,400 saving in expenditures was effected by Esmond in operating the bureau. Expenses totaled $63,777 this year as against $67,296 in the preceding year.

The board's eliminations were made on the following statutory grounds: indecent, 245; inhuman, 31; tending to incite to crime, 60; immoral or tending to corrupt morals, 501; sacrilegious, 89. These included scenes, subtitles and dialogue.

A total of 488 foreign-made films

(*Continued on page 4*)

MPTOA Hints Law Suits Better Than Arbitration

Arbitration as projected in the New York consent decree is sharply criticized in an M.P.T.O.A. bulletin sent to members yesterday over the signature of Ed L. Kuykendall, president.

The bulletin raises the question whether an exhibitor with a grievance might not be better off filing an anti-trust suit for triple damages than availing himself of arbitration. It suggests that exhibitors consult their attorneys on this point.

The decree is cited, however, as justification of the M.P.T.O.A.'s traditional aversion to court action for adjustment of industry differences.

The bulletin weighs the entire decree in the balance with the M.P.T.O.A. 10-point trade practice code proposals of several years ago and finds the decree wanting in every respect from the organization's viewpoint. It contends that nothing desired by exhibitors has been accomplished through the decree on any of the following trade proposals: block booking and

(*Continued on page 4*)

Warners Reissue 'Here Comes Navy'

Warner Bros. is reissuing "Here Comes the Navy." Produced in 1934, it was one of the first pictures in which the team of James Cagney and Pat O'Brien was presented. The company already reports several booking on the reissue.

This reissue, according to company officials, was prompted by the present public interest in national defense, and particularly in the Navy. The picture presents closeup views aboard the battleship *Arizona* and scenes at the San Pedro Naval Training School, the San Diego Naval Air Station and maneuvers of the Pacific Fleet at sea.

50-50 Terms Probable for M-G-M's 'Wind'

Policy Will Be Decided At Chicago Conference

M-G-M's general release terms for "Gone With the Wind," trade observers believe, will be determined in Chicago, where William F. Rodgers, general sales manager, has called a two-day meeting of district, branch and home office distribution officials, beginning on Saturday. David O. Selznick, producer of the picture, is in Chicago to meet with Rodgers on the matter, prior to the sales meeting.



W. F. Rodgers

Officially, no definite sales plan for the picture's general release has been determined. However, it has been revealed that home office conversations indicate the possibility that M-G-M will ask terms of 50 per cent, with minimum box-office scales to be set at 55 cents for evenings, inclusive of tax, and 40 cents for matinees.

That there has been some talk among the officials about the advisability of recommending to exhibitors that a reserved seat policy be followed at night, also has been indicated.

That Loew's circuit will replay the film at "popular prices" is also antici-

(*Continued on page 4*)

Action on B & K and FWC Cases Due Soon

The Government will move in two or three weeks to have the Balaban & Katz and Fox West Coast consent decree actions disposed of to conform with the New York case decree, it was learned here yesterday.

Harold Collins and Albert Law, Department of Justice representatives in Los Angeles, will make the application in court in the Fox West Coast case. Robert Wright and Seymour Simon will handle the B. & K. case in Chicago for the Government.

Record Fund Seen in Drive By Federation

The amusement industry this year will exceed its record total of $150,000 raised in 1939 in the drive of the New York and Brooklyn Federation of Jewish Charities, it was indicated in reports at a luncheon meeting of the amusement division at the Hotel Astor yesterday.

More than 40 persons attended the meeting. Louis Nizer outlined the needs of the charities affiliated with the Federation. Major Albert Warner, co-chairman of the division with David Bernstein, presided.

Marvin Schenck, B. S. Moss, Leopold Friedman and Ben Bernie were named to a committee to arrange the annual luncheon, with Nizer in charge of program arrangements.

Among those at the luncheon were: Harry H. Buxbaum, J. J. Lee, Max Cohen; M. J. Fessler, Alan E. Freedman, Arthur Israel, Jr., B. S. Moss, Harry Nadel, Louis Phillips, L. W. Schneider, Walter Reade, Jr., David Miller, Sam Rinzler, Herman Robbins, Harold Rodner, Max Rudnick, Edward N. Rugoff, Abe Schneider, Joseph H. Seidelman, Sam Shain, Saul Trauner, A. P. Waxman, David Weinstock, Max Seligman, Leon Goldberg, Charles Moses, Herman Bernie and Max B. Blackman.

Personal Mention

GEORGE J. SCHAEFER, RKO president, plans to remain at the studio until about Christmas.

•

WILLIAM BULLOCK, in charge of administration of RCA Photophone's Hollywood office, and BARTON KREUZER, heading West Coast sales, are at Camden for home office conferences.

•

TERRY TURNER, head of the RKO field exploitation staff, left last night for Denver.

•

SAM GERMAINE, 20th Century-Fox head booker in New Haven, and MRS. GERMAINE will celebrate their 25th wedding anniversary on Dec. 7.

•

LAWRENCE SCHANBERGER, owner of Keith's Theatre, Baltimore, has returned from Atlantic City.

•

BERT ARMM, son of JACK ARMM, Columbia salesman in Albany, is at Fort Slocum, having joined the Coast Artillery. He will go to Puerto Rico after preparatory training.

•

MRS. CHARLES SMAKWITZ, wife of the Warner Circuit district manager in Albany, is recovering from a recent operation in Albany Hospital.

•

NAT TURBERG, manager of the Northio Paramount, Hamilton, O., has returned to work following a recent operation.

ARTHUR LOEW, vice-president of Loew's, underwent a minor hand operation yesterday at the Mount Sinai Hospital. He will be back at his desk shortly.

•

J. CARLO BAVETTA, managing director in Brazil for 20th Century-Fox, is expected here soon.

•

DAVID BERNSTEIN, JAMES R. GRAINGER, SIDNEY PHILLIPS, ERNO RAPEE, OWEN DAVIS, LOUIS DREYFUS, WILLIAM ORR, JOHN W. HICKS lunched yesterday at Nick's Hunting Room in the Astor.

•

J. ROBERT RUBIN, NEIL AGNEW, J. J. UNGER, MILTON KUSELL, LEONARD GOLDENSON, WILLIAM MELNIKER, JOHN GOLDEN, FRANK PHELPS, CLAYTON BOND, ARTHUR MAYER, AL LEWIS, JOHN D. HERTZ, JR., JOHN BUCHANAN and ARTHUR KRIM lunching yesterday at Sardi's.

•

BERNARD BRANDT, ARTHUR SILVERSTONE, KAY KAMEN and JOSEPH MOSKOWITZ at Lindy's (51st St.) yesterday for lunch.

•

LOUIS ASTOR, MAX WEISFELDT and IRVING SHAPIRO lunching at Lindy's (next to the Rivoli) yesterday.

•

HARRY GOLD, ARTHUR KELLY, FRED MCCONNELL, WILLIAM FITELSON, LEO ABRAMS and JEFFREY BERNERD having lunch at the Tavern yesterday.

•

MRS. PERCY FRIEDMAN, wife of the manager of the Yeadon, Philadelphia suburban house, became the mother of a daughter last week.

•

ELMER C. RHODEN, head of Fox Midwest, has been named a director of Kansas City's new Saddle and Sirloin Club, to promote the animal livestock show.

•

WILLIAM H. PARSONS, operator at the Strand, Swoyerville, Pa., and JANET EVANS were married last week.

•

JAMES OWEN, former mayor of Branson, Mo., and for years operator of the Owen Theatre there, and LOIS BARBARA LEWIS of Pryor, Okla., will be married in January.

•

MRS. EDWARD SOKOLOWSKY, wife of an exhibitor in Plainfield, Conn., is the mother of a second boy, MICHAEL, born at Backus Hospital, Norwich, Conn.

•

JOHN P. FINDLAY, exhibitor of Mystic, Conn., has left for a vacation at Greensboro, N. C.

Greenthal Discusses Plans at U. A. Meet

HOLLYWOOD, Nov. 26. — Monroe Greenthal, newly appointed director of advertising and publicity for United Artists, discussed publicity and exploitation of new films at a luncheon today at the Ambassador Hotel tendered to U. A. producers by Maurice Silverstone, chief of world wide operations.

Silverstone has changed his plans to leave for New York tomorrow, and now plans to leave Friday or Saturday.

Newsreel Parade

THE first films of the Greco-Italian war are shown as war news is again the dominating feature. Lord Lothian's report upon arriving from London, the British and French naval encounter of some weeks back, air raid damage in London and views of the war in the Far East are included. Contents follow:

MOVIETONE NEWS, No. 23 — British attack French fleet at Oran. Greeks and Italians battle. Japs bombard supply trains on the Burma Road. Football.

NEWS OF THE DAY, No. 221—British and French in naval battle. Lord Lothian reports on the war. Greeks and Italians in battle. Toys set for Christmas buying. Football.

PARAMOUNT NEWS, No. 26—Greek-Italian war. Girl is football star at Alabama school. Lord Lothian tells of war. Football.

RKO PATHE NEWS, No. 26—Italians and Greeks in battle. Londoners carry on after night raids. Lord Lothian arrives confident of British victory. Thanksgiving parade in New York. Maryland town is sold at auction. Football.

UNIVERSAL NEWSREEL, No. 931—Greco-Italian war. Air-raid damage in London. Americans leave Shanghai. New army plane in St. Louis. First New York draftees sworn in. Female football star at Alabama school. Football.

'Night of Stars' Set For Garden Tonight

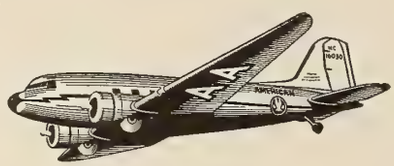
The seventh annual "Night of Stars" show will take place tonight at Madison Square Garden for the benefit of the United Jewish Appeal for refugee relief.

Scores of entertainers, including screen, stage and radio personalities, will appear, and the show is expected to run about five hours. Marvin Schenck of Loew's is chairman of the producing committee.

WHN will again carry the broadcast of the show, from 10:15 P.M. to midnight. As was done last year, I. J. Fox will pay for the time but will receive no sponsorship mention on the air. The money thus received will be turned over to the fund.

Bernie Toastmaster

PHILADELPHIA, Nov. 26.—Ben Bernie will be toastmaster at the sixth annual banquet of the local Variety Club Dec. 12, at which Postmaster General Frank C. Walker will be guest of honor.



CALIFORNIA

American's Southern Sunshine Route

5 FLAGSHIPS DAILY COAST-TO-COAST

★ It's only an overnight skysleeper trip to Los Angeles via American's Famous Sunshine Route! Delicious meals aloft. Stewardess service. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: Rockefeller Center, 18 W. 49th St.; Grand Central, 45 Vanderbilt Ave.

CONVENIENT DEPARTURES

The Sun Country Special 6:45 am
The Plainsman . . . 4:10 pm
The Mercury (Two Sections) 4:45 & 5:10 pm
The Southerner . . . 10:35 pm

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame.

Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.


"WE SAW 'THE PHILADELPHIA STORY'!"
The Biggest Eyeful of 1941!
Hot from M-G-M's Projection Room Preview comes this prophecy: "'Boom Town' was the sensation of 1940 — 'Philadelphia Story' is the 'Boom Town' of 1941!" We saw it and we tell you that Cary Grant, Katharine Hepburn, James Stewart are at their box-office top! We saw it and we tell you that the famed stage play is bigger and better in M-G-M's unstinted production. Keep your eye on "Philadelphia Story" — the success story of next year!
*Not released until 1941
CARY GRANT
KATHARINE HEPBURN
JAMES STEWART in
"THE PHILADELPHIA STORY"
with RUTH HUSSEY
John Howard • Roland Young • John Halliday • Mary Nash • Virginia Weidler
Screen Play by Donald Ogden Stewart • Based on the Play by Philip Barry • Directed by GEORGE CUKOR • Produced by JOSEPH L. MANKIEWICZ • An M-G-M Picture

50-50 Terms Probable for M-G-M's 'Wind'

(*Continued from page* 1)

pated by those close to the situation.

General release selling probably will begin about Dec. 15 and the first dates which will be accepted will be for about one month later.

M-G-M estimates that the picture will gross anywhere from $3,500,000 to $5,000,000 in general release. The company feels that it has 7,000 booking possibilties remaining and that numerically as many theatre patrons are waiting to see the picture at reduced prices as have already seen it.

Rodgers and E. M. Saunders, Western division sales manager, are in Chicago now and will remain there for the meeting. T. J. Connors, Eastern, Southern and Canadian sales manager, will return to New York today from Detroit and will leave for the Chicago meeting Friday evening. Also leaving from the home office will be Howard Dietz, advertising and publicity director; E. W. Aaron, assistant to Rodgers; E. K. O'Shea, Eastern district manager, and Tyree Dillard of the legal staff.

At the meeting the men will also explore the effects of the consent decree on the company's sales policy and procedure for next season. Dillard, will address the meeting on the decree.

CEA Studies Change In Theatre Policies

LONDON, Nov. 26.—The emergency committee of the London and Home Counties Branch of the Cinematograph Exhibitors Association decided at a meeting today on a policy of cooperation with all licensing authorities, aiming at a rearrangement of operating hours to hold losses to a minimum.

The committee exhaustively discussed opening hours and program policy with the design of suggesting readjustments to present conditions. A full executive committee meeting was called for next week to devise a plan for shorter programs. Despite the discussions, it was decided not to adopt a policy of seven-day bookings. Consideration was given also to the elimination of charity payments as a basis for Sunday opening.

Smith on Sales Trip To Western Offices

A. W. Smith, Jr., sales manager of RKO, left via American Airlines last night for the West, where he will visit exchanges in Los Angeles, San Francisco, Portland, Seattle, Salt Lake City and Denver.

Smith will discuss new product, organization methods and the consent decree with Western District Manager J. H. MacIntyre and sales staffs headed by Branch Managers H. C. Cohen, G. William Wolf, Mark Cory, E. A. Lamb, J. H. Ashby and H. S. Fuller.

Closes Theatre to Answer Draft Call

Kansas City, Nov. 26.—Charles Martin has closed the Republic Theatre at Republic, Mo., in order to answer a draft call to serve in the army.

Work Begins on U.S. Army Films

HOLLYWOOD, Nov. 26.—Work will start immediately on production of Army training films, following approval of scripts today at a meeting of the Industry's National Defense Division production committee, at which Y. Frank Freeman presided.

A new project is films for Navy training, and the M-G-M shorts department was given this work at its request. Production of films for the National Defense Advisory Committee was discussed. John Hay Whitney of the committee is due here tomorrow to confer with Freeman on South American problems. Will H. Hays addressed the meeting.

Harrold Reelected Indiana ATO Head

(*Continued from page* 1)

Other officers also were reelected. They are: Ernest L. Miller, Indianapolis, vice-president; Harry Markun, Indianapolis, treasurer, and Don E. Rossiter, executive secretary.

Abram F. Myers, general counsel of Allied States, discussed the consent decree, divorcement and other legislation and court actions, and outlined the attitude of the national organization on these matters,

The convention closed tonight with a banquet. Speakers were Col. Roscoe Turner, aviation executive, and Dr. James V. Sparks, recently commander of an American ambulance unit in France. Marc J. Wolf was toastmaster.

Named to the board of directors were:

District No. 1—Alex Manta, Maurice Rubin, H. Lisle Kreighbaum; Karl Gast, alternate.

No. 2—Roy Kalver, Pete Mallers, Albert Borkenstein, Douglass Haney, alternate.

No. 3—William Studebaker, Sam W. Neall, Richard Vlastos; J. M. Dixon, alternate.

No. 4—V. U. Young, P. H. Dickson, Leonard Soward; I. R. Holycross, alternate.

No. 5—Harry Vonderschmitt, A. H. Kaufman, Jack Vanborssum; J. B. Sconce, alternate.

No. 6—Harrold, Trueman Rembusch, Walter F. Easley; Joseph Schilling, alternate.

No. 7—Oscar Fine, Harry Kornblum, Bruce Miller; Howard Hargis, alternate.

No. 8—Sam J. Switow, H. P. Johnson, A. B. Thompson; Lowell T. Moore, alternate.

No. 9—Fred Dolle, Harry Markun, Ernest Miller, Earl Bell; Joseph Cantor, alternate.

To Testify in 'U' Suit

Officers of Erpi and Eastman Kodak were ordered yesterday by N. Y. Supreme Court Justice Isador Wasservogel to appear for examination before trial and produce books and records in connection with the suit of Samuel I. Posen against Universal, its officers, directors and others.

N.Y. Censor Made 926 Cuts in 1,762 Films Seen in Year

(*Continued from page* 1)

were submitted as against 485 a year ago, including productions in 20 countries besides the U. S. This may be accounted for, however, by the fact that many foreign-made films are held up in distribution so that a big majority of the films submitted undoubtedly were produced before the outbreak of the war in September, 1939, according to officials. Foreign-made films submitted for licensing were made in France, Germany, China, Mexico, Czechoslovakia, Poland, Sweden, Hungary, Russia, Italy, Egypt, Ethiopia, Finland, Ireland, Spain, Austria, Argentina, Norway, Cuba and Denmark.

Esmond, in noting the considerable increase in use of 16mm. films, called attention to a recent ruling by State's Attorney General John J. Bennett that these come within the censorship statute and must be licensed before exhibition "at any place of amusement for pay or in connection with any business in the State of New York."

Short Is Elected by Dallas Variety Club

DALLAS, Nov. 26.—Paul Short of National Screen Service, has been elected chief barker of the local Variety Club, succeeding Robert J. O'Donnell, who retired after five years.

Directors elected are: R. E. Griffith, Short, Lynn Stocker, B. C. Gibson, Ted De Boer, James O. Cherry, William O'Donnell, Bert King, W. G. Underwood, Don Douglas, Jack Lutzer. King is first assistant barker, Cherry second assistant, De Boer dough guy, and Douglas secretary. Delegates to the Atlantic City convention are Duke Evans and Clyde Hoover.

Possible End Seen Of Film 'Graininess'

ROCHESTER, N. Y., Nov. 26. — A possible way to eliminate "graininess" from film is indicated in the discovery that the silver in developed film is not properly represented by the dots which show as "grains" to the eye and microscope, but is really lacework of fine lines.

The discovery was announced here by Dr. C. E. K. Mees, director of research for Eastman Kodak. The disclosure was made possible through the use of the electron microscope.

Greenhouse Here From Philippines

Dan Greenhouse, RKO manager in the Philippine Islands, has arrived in New York for a vacation of several weeks. He reported film and theatre business in his territory at normal levels despite economic disturbances in the Far East as a result of the war.

Grants Watson Allowance

Federal Judge John C. Knox yesterday granted a final allowance of $15,000 to Archibald R. Watson, attorney for the receivers of Fox Theatres Corp. from 1932 to 1934. Watson previously had received $50,000.

3,000 Studio Workers Claim Extra Salary

(*Continued from page* 1)

contracts to conform with the Federal law. Agreement to hold the meetings was reached today by Casey and representatives of eight of the 10 I.A.T.S.E. locals.

Smith and other union officials formally presented demands that matters held in abeyance since last year's basic agreement conferences, such as reclassification of employes and overtime for key men earning more than the scale, be discussed, as well as exemptions under the law.

The negotiations will be on a basis of each union presenting desired adjustments, Smith said. He issued a statement giving the position of the locals, as follows:

"We desire to negotiate individually as local unions of the I.A.T.S.E. on the basis of the producers-I.A.T.S.E. agreement of 1939. However, we reserve the right to resume negotiations due to any unforeseen contingencies as a business representatives' committee representing the combined local unions. We believe we should mutually attempt to agree upon job classifications, non-exemptions or exemptions and retroactive pay collection under the Fair Labor Standards Act of the Wage and Hour Law by consent rather than instruction of the Federal Government."

M.P.T.O.A. Bulletin Hints Suits Better

(*Continued from page* 1)

blind selling, conciliation of trade disputes, unreasonable clearance, competitive overbuying, unfair cut-rate competition between theatres, simplified form of standard contract, unfair non-theatrical competition, separate score charge, designation of play dates on unsuitable picture and forcing of short subjects.

The bulletin gives no hint as to whether or not M.P.T.O.A. will continue its opposition to the decree by court or other action.

"What our next step is," the bulletin says, "will require considerable study and careful consideration by competent counsel. In the meantime, every exhibitor should prepare to make the best of it, when the time comes for the decree to become effective."

Seeks Examination

Application to examine Nat Wachsberger, vice-president of Film Alliance of U. S., Inc., in the $6,200 breach of contract suit of Sol Edwards has been filed in N. Y. Supreme Court. Edwards, formerly Eastern sales manager of Film Alliance, claims breach of a four-months' employment contract made in July, 1940. Percy N. Furber is president of Film Alliance.

McHenry in Lincoln

LINCOLN, Neb., Nov. 26.—Murphy McHenry is here from Hollywood to arrange the premiere of "Cheers for Miss Bishop."

'Escape' Hits $39,700 in 2 Hub Houses

BOSTON, Nov. 26.—"Escape" and "Hullabaloo" scored a total of $39,100 at Loew's State and Loew's Orpheum, $18,200 at the State and $21,500 at the Orpheum. Other grosses were off.

Estimated takings for the week ending Nov. 20:

"Stranger on the Third Floor" (RKO)
"Phantom of Chinatown" (Mono.)
"Wagon Train" (RKO)
"I Met a Murderer"
KEITH BOSTON—(3,200) (25c-35c-40c-55c) "Stranger" and "Phantom" 4 days with vaudeville, including Buster Shaver with Olive and George; Marjorie Gainsworth; Johnny Burke; Mills, Kirk and Raye; Ernie and Naida Perez. "Wagon Train" and "Murderer" 3 days. Gross: $5,000. (Average, $8,000)
"Seven Sinners" (Univ.)
"Mexican Spitfire Out West" (RKO)
"Mark of Zorro" (20th-Fox)
"Laddie" (RKO)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) "Sinners" and "Spitfire" 2 days of 2nd week; "Zorro" and "Laddie" 5 days. Gross: $14,500. (Average, $16,000)
"City for Conquest" (W. B.)
"Hit Parade of 1941" (Rep.)
METROPOLITAN — (4,367) (25c-35c-40c-55c) 7 days. Gross: $13,500. (Average, $15,500)
"Christmas in July" (Para.)
"Cherokee Strip" (Para.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $6,500. (Average, $7,500)
"Christmas in July" (Para.)
"Cherokee Strip" (Para.)
FENWAY—(1,320) 25c-35c-40c-55c) 7 days. Gross: $3,500. (Average, $4,500)
"Knute Rockne—All American" (W. B.)
"Calling All Husbands" (W.B.)
SCOLLAY—(2,500) (25c-39c-55c) 7 days. Gross: $3,200. (Average, $4,000)
"Escape" (M-G-M)
"Hullabaloo" (M-G-M)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $18,200. (Average, $12,000)
"Escape" (M-G-M)
"Hullabaloo" (M-G-M)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $21,500. (Average, $17,500)

Buffalo Gives Big $9,200 to 'Zorro'

BUFFALO, Nov. 26.—"The Mark of Zorro" and "Street of Memories" at the Great Lakes drew $9,200. "Moon Over Burma," plus Ray Bolger and Xavier Cugat and his orchestra on the stage were good for $14,400 at the Buffalo.

Estimated takings for the week ending Nov. 23:

"Moon Over Burma" (Para.)
BUFFALO—(3,489) (35c-40c-60c) 7 days. Ray Bolger and Xavier Cugat and his orchestra on stage, with Carmen Castillo, Miguelito, Valdes, Raul and Eva Rayes, and Max and his Gang. Gross: $14,400. (Average, $12,000)
"The Mark of Zorro" (20th-Fox)
"Street of Memories" (20th-Fox)
GREAT LAKES—(3,000) (35c-55c) 7 days. Gross: $9,200. (Average, $7,500)
"Escape" (M-G-M)
"Dancing On a Dime" (Para.)
HIPPODROME—(2,100) (35c-50c) 7 days, 2d run. Gross: $7,800. (Average, $6,800)
"They Knew What They Wanted" (RKO)
"Mexican Spitfire Out West" (RKO)
TWENTIETH CENTURY—(3,000) (30c-40c) 7 days, 2nd week. Gross: $6,300. (Average, $7,500)
"Blondie Has Servant Trouble" (Col.)
"Before I Hang" (Col.)
LAFAYETTE—(3,000) (30c-40c) 7 days. Gross: $4,500. (Average, $6,300)

Italian Film to Open

"Queen of the Opera," Italian musical film, distributed by Esperia Film Distributing Co., will open tomorrow at the Cine Roma Theatre.

'Zorro' Pittsburgh Winner at $5,800

PITTSBURGH, Nov. 26.—The Fulton's holdover of "Mark of Zorro" drew $5,800. The Stanley took $17,500 with "Dulcy" and Laurel and Hardy on the stage.

Estimated takings for the week ending Nov. 21:

"Mark of Zorro" (20th-Fox)
FULTON—(1,700) (28c-44c) 7 days, 2nd week. Gross: $5,800. (Average, $5,000)
"Escape" (M-G-M)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days, 2nd week. Gross: $10,000. (Average, $13,000)
"Cherokee Strip" (Para.)
"Li'l Abner" (RKO)
RITZ—(800) (28c-44c) 7 days. Gross: $2,500. (Average, $3,000)
"A Night in the Tropics" (Univ.)
SENATOR—(1,700) (28c-39c-55c) 7 days. Gross: $2,800. (Average, $4,600)
"Dulcy" (M-G-M)
STANLEY—(3,600) (28c-44c-66c). On stage: Stan Laurel and Oliver Hardy with Lew Parker, Sid Gold, Maxine Conrad, Cass, Owen and Topsy, Darlene Garner, Danny Dare Girls, Max Adkins orchestra. 7 days. Gross: $17,500. (Average, $18,000)
"The Quarterback" (Para.)
"Laddie" (RKO)
WARNER—(2,000) (28c-44c) 7 days. Gross: $4,500. (Average, $5,000)

"Melody" and Joy $7,000, Kansas City

KANSAS CITY, Nov. 26.—Rain and holdovers held down grosses. "Melody and Moonlight" with Jimmy Joy and his Orchestra on the stage gave the Tower $7,000. "Bitter Sweet" and "Blondie Plays Cupid" at Loew's Midland, were good for $10,300.

Estimated takings for the week ending Nov. 19-21:

"The Mark of Zorro" (20th-Fox)
ESQUIRE—(800 (28c-44c) 6 days, 2nd week. Gross: $1,800. (Average, 6 days, $1,800)
"Bitter Sweet" (M-G-M)
"Blondie Plays Cupid" (Col.)
MIDLAND—(4,000) (28c-44c) 7 days. Gross: $10,300. (Average, $9,500)
"North West Mounted Police" (Para.)
NEWMAN — (1,900) (35c-40c-55c) 7 days, 4th week. Gross: $6,500. (Average, $7,000)
"Moon Over Burma" (Para.)
"The Quarterback" (Para.)
ORPHEUM—(1,500) (28c-44c) 7 days. Gross: $4,700. (Average, $5,000)
"Melody and Moonlight" (Rep.)
TOWER—(2,200) (30c) 7 days. Stage: Jimmy Joy and his Orchestra, featuring Betty Burns and Art London. Gross: $7,000. (Average, $6,000)
"The Mark of Zorro" (20th-Fox)
UPTOWN—(2,000) (28c-44c) 6 days, 2nd week. Gross: $2,500. (Average, 6 days, $2,600)

"Burma" Garners $14,300 in Omaha

OMAHA, Nov. 26. — "Moon Over Burma" plus a stage show at the Orpheum drew $14,300. "Escape" and "Sky Murder" took $9,200 at the Omaha. The weather was stormy and cold.

Estimated takings for the week ending Nov. 20-21:

"Too Many Girls" (RKO)
"The Lady in Question" (Col.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $4,100. (Average, $4,000)
"Escape" (M-G-M)
"Sky Murder" (M-G-M)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $9,200. (Average, $6,000)
"Moon Over Burma" (Para.)
ORPHEUM—(3,000) (40c-55c) 7 days. Stage: Harry James and Four Ink Spots. Gross: $14,300. (Average, $7,200)

Union Holds Session

NEW HAVEN, Nov. 26.—Local B-41 of the exchange employes union held its first meeting this Winter last night at the Hotel Garde, with Samuel Zipkin presiding.

Contribute $22,300 For English Relief

Toronto, Nov. 26.—Net proceeds of $22,300 were made available to air raid victims in England from the patriotic rodeo in the Toronto Coliseum under the auspices of the Canadian Motion Picture War Services Committee, according to Chairman N. L. Nathanson. The four performances drew a total of 23,500 persons. The committee in charge of the show was part of the Canadian Picture Pioneers.

'Band' with $11,300 Is High in Montreal

MONTREAL, Nov. 26.—"Strike Up the Band" boomed to $11,300 at the Palace in the second week. "The Ramparts We Watch" and "Mexican Spitfire Out West" took $6,800 at the Princess.

Estimated takings for the week ending Nov. 22:

"Too Many Girls" (RKO)
"Men Against the Sky" (RKO)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $7,800. (Average, $8,000)
"North West Mounted Police" (Para.)
LOEW'S—(2,800) (30c-40c-60c) 7 days, 4th week. Gross: $8,000. (Average, $8,000)
"The Great Dictator" (U.A.)
ORPHEUM—(919) (75c-$1.10) 7 days, 2nd week. Gross: $4,800. (Average, $5,000)
"Strike Up the Band" (M-G-M)
PALACE—(2,660) (25c-40c-55c-65c) 7 days. Gross: $11,300. (Average, $9,000)
"The Ramparts We Watch" (RKO)
"Mexican Spitfire Out West" (RKO)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $6,800. (Average, $4,500)

'Bitter' Pulls Sweet $8,500 Seattle Gross

SEATTLE, Nov. 26.—Three of the city's six first run houses topped the average mark. "Bitter Sweet" was the best grosser, taking $8,500 at the Fifth Avenue. The weather was clear and cold.

Estimated takings for the week ending Nov. 22:

"Bitter Sweet" (M-G-M)
"Street of Memories" (W.B.)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $8,500. (Average, $7,000)
"The Westerner" (U.A.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $5,300. (Average, $5,000)
"Third Finger, Left Hand" (M-G-M)
"Yesterday's Heroes" (Univ.)
MUSIC BOX—(950) (30c-40c-50c) 7 days, 4th week. Gross: $3,100. (Average, $4,000)
"The Letter" (W.B.)
"Calling All Husbands" (Univ.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $6,500. (Average, $6,000)
"French Without Tears" (Para.)
"Men Against the Sky" (RKO)
PALOMAR—(1,500) (20c-30c-40c-50c) 7 days. Vaudeville. Gross: $4,400. (Average, $5,000)
"The Mark of Zorro" (20th-Fox)
"Young People" (20th-Fox)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days, 2nd week. Gross: $5,600. (Average, $6,000)

Building New 'U' Branch

CINCINNATI, Nov. 26.—Universal will erect a two-story building at an estimated cost of $35,000 to house its local branch. Peter Rosian is the local branch manager.



Academy Sets Plan On Reorganization

HOLLYWOOD, Nov. 26.—The Academy of Motion Picture Arts and Sciences has set tentative plans for its reorganization and asked the approval of the Screen Actors, Screen Directors and Screen Writers Guilds, which, under the project, would participate in the revised organization's activities.

In communications to the guilds, signed by President Walter Wanger, the Academy board of governors invited "definite assurances from the boards of the guilds that if such reorganization is ratified by our present members, the guilds will actively cooperate through the Academy, will designate guild delegates to meet with and serve as additional members of the Academy board, and will share in financing the work of the Academy through contributions from each Guild."

Upon receiving approval from the guilds, the Academy will submit the proposed by-law admendments to a vote of the Academy membership; call an election for a new Academy board, which will elect new officers, and start work on the new annual awards procedure, in which the guilds will, as in the last two years, participate.

The S.A.G. board of directors last night took Wanger's invitation under advisement, after an explanation of the project by the Academy president.

Hollywood Notes

Hollywood, Nov. 26

JOAN CRAWFORD will be starred in M-G-M's "A Woman Pays," with MELVYN DOUGLAS and CONRAD VEIDT featured. GEORGE CUKOR, who directed "The Women," will guide this, with VICTOR SAVILLE producing. . . . WILLIAM DIETERLE's first picture for RKO will be "The Devil and Daniel Webster," by STEPHEN VINCENT BENET, who will do the script. CHARLES L. GLETT will be DIETERLE's associate producer. The story was originally a *Saturday Evening Post* serial and subsequently was published in book form by Farrar and Rinehart. DIETERLE's producing company will be called William Dieterle Productions, Inc.

• •

Smiley Burnette returned to Hollywood last week after setting a new personal appearance record. Traveling in an automobile and a station wagon, Burnette made 73 one night stands in 77 days.

• •

LARRY DARMOUR's new serial for Columbia, "White Eagle," gets under way shortly, with BUCK JONES in the leading role, supported by DOROTHY FAY, RAYMOND HATTON, JAMES CRAVEN and CHARLES KING. JAMES HORNE will direct from an original script by MORGAN COX, JACK CUTTING, LARRY TAYLOR and ARCH HEATH. . . . Republic is planning a high budget musical, tentatively titled "Babes on Broadway," and will use MARY LEE, LOIS RANSON, JANE FRAZEE, CAROL ADAMS, JUNE JOHNSON and MARILYN HARE, the lot's younger players, for the leads.

• •

JOHN SHELTON, being groomed for stardom by M-G-M, will play the lead in "Four Cents a Word," story of a young pulp magazine writer. BUSBY BERKELEY will direct from a story and screenplay by MARION PARSONETT. . . . ERIC BLORE and UNA MERKEL have been set for featured roles in Paramount's "Road to Zanzibar," starring BING CROSBY, BOB HOPE and DOROTHY LAMOUR. . . . BORIS MORROS left Hollywood last week with a print of "Second Chorus," his initial independent production starring PAULETTE GODDARD and FRED ASTAIRE, to tour Paramount exchanges in the East, Midwest and South. He will hold trade previews and address meetings of Paramount salesmen.

• •

Arthur Hornblow is negotiating with Dr. E. J. Akins, Australian author, for film rights to "Tikaru," novel which deals with the adventures of two Australian soldiers captured by a tribe of savage bushmen. . . . Virginia Field will share topline billing with Wayne Morris and Olypme Bradna in Warner's "Knockout," which William Clemens will direct.

• •

ROSCOE ATES joins the cast of "Ziegfeld Girl," at M-G-M. The cast leads are JUDY GARLAND, JAMES STEWART, HEDY LAMARR, LANA TURNER, TONY MARTIN, JACKIE COOPER, CHARLES WINNINGER, EDWARD EVERETT HORTON, PHIL DORN, AL SHEAN, DAN DAILEY, JR., FAY HOLDEN. ROBERT Z. LEONARD is directing, with PANDRO S. BERMAN producing. . . . GEORGE SEATON has been given a new writing pact at M-G-M. . . . MILTON RAISON is doing the screenplay of "Tumbledown Ranch in Arizona," which GEORGE WEEKS will produce for Monogram release.

• •

SIG RUMANN joins the cast of "That Uncertain Feeling," ERNST LUBITSCH production. . . . HARRY SHERMAN has signed VICTOR JORY for "Border Vigilantes," 34th of the Hopalong Cassidy series. . . . MICHAEL HOGAN is polishing the script of "The Lady from New Orleans," in which Republic will star ONA MUNSON. BERNARD VORHAUS will produce and direct. . . . PHIL REGAN has been given a term contract by Paramount, following his personal appearance tour.

• •

Warners will team WILLIAM LUNDIGAN and MARIS WRIXON in "Murder on the Second Floor," from an English play by FRANK VOSPER. . . . CLARENCE BROWN has an option on SAMUEL WARREN's "For Tomorrow We Live," based on the experience of two French aviators serving the R. A. F. It will be published in the *Saturday Evening Post.*

• •

Twentieth Century-Fox will have its heaviest Christmas holiday shooting schedule in six years, with four films scheduled to be under way. . . . JOAN FONTAINE has been loaned by DAVID O. SELZNCK to Columbia for "And Now Goodbye," opposite BRIAN AHERNE. It is from the JAMES HILTON novel. . . . "Tonight Is Ours" is the new title for Paramount's "Ballerina."

A ★ M ★ P ★ A

presents a headline attraction at this week's luncheon meeting—a practical, inspirational and entertaining talk by the noted author and lecturer

ZENN KAUFMAN

Laughs and showmanship stunts by the author of "Showmanship In Business," "How To Run Better Sales Contests," etc. A real treat for anyone identified with advertising or selling in our business.

THURSDAY, NOVEMBER 28 Serving starts at 12:45 sharp

HOTEL EDISON

★ PATRICIA CARROLL—THE RADIORIOLE

and other entertainment surprises. Watch daily trade papers for announcements. Extra fine program arranged for your enjoyment.

Tariff (for Non-members) $1.25 including tip —and well worth it!

Studios Hold Pace With 35 Films in Work

HOLLYWOOD, Nov. 26.—Thirty-five pictures were before the cameras this week, as five finished, five started and one, "Citizen Kane," went back for retakes at RKO. Sixteen are being prepared, and 66 are being edited.

The tally by studios:

Jed Buell

In Work: "Misbehaving Husbands."

Columbia

In Work: "Penny Serenade," "The Face Behind the Mask," "Blondie Goes Latin."

Started: "Edge of Running Water."

Lesser-Lubitsch

In Work: "That Uncertain Feeling."

M-G-M

In Work: "Come Live With Me," "Wild Man of Borneo," "Ziegfeld Girl," "Men of Boys Town," "The Bad Man."

Started: "Four Cents a Word."

Monogram

In Work: "Trail of the Silver Spurs."

Neufeld

In Work: "Billy the Kid's Gun Justice."

Paramount

Finished: "Shepherd of the Hills."

In Work: "I Wanted Wings," "The Lady Eve," "The Road to Zanzibar," "New York Town."

Started: "Border Vigilantes."

RKO

Finished: "A Guy, a Girl and a Gob," "Along the Rio Grande."

Republic

Finished: "Wyoming Wildcat."

In Work: "Robin Hood of the Pecos."

Roach

In Work: "Topper Returns."

20th Century-Fox

In Work: "Western Union," "Tall, Dark and Handsome," "Murder Among Friends," "The Road to Rio."

Started: "Sleepers West."

Universal

Finished: "Trail of the Vigilantes."

In Work: "Back Street," "Who's Crazy Now?" "Nice Girl."

Warners

In Work: "The Wagons Roll at Night," "Strawberry Blonde," "Footsteps in the Dark," "Far Horizon," "The Sea Wolf."

F P Canadian Equals 1939 Dividend Total

TORONTO, Nov. 26.—Famous Players Canadian Corp. has equalled its 1939 dividend record on the common shares of the company by the declaration of a fourth payment of 25 cents to be made Dec. 27 for the final quarter of the current year, making a total of $1.00 for the 12 months.

Hamilton United Theatres, Ltd., a subsidiary operating theatres in Western Ontario, has also declared a dividend of 1¼ per cent on the preferred shares, payable at the end of the year.

FAME

The Audit of Personalities

SCREEN
CONCERT
RADIO



SEVENTH ANNUAL EDITION
NOW IN PREPARATION BY
THE WORLDWIDE STAFF OF
QUIGLEY PUBLICATIONS
EDITED BY TERRY RAMSAYE

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK

Capital Sees Veto Of Walter-Logan Bill

Washington, Nov. 26.—FCC orders not appealable now and those of other Governmental agencies will be subject to judicial review if the Walter-Logan bill passed by the Senate yesterday becomes law. The measure was passed by the House several months ago but must go back for action on Senate amendments. Administration leaders who opposed the bill believe that it will be vetoed by the President, and that there is little likelihood of its being passed over a veto.

Jurisdiction Set on Radio Court Cases

WASHINGTON, Nov. 26.—Holding that FCC orders denying petitions for transfer of stations do not come within the five classes of cases which may be appealed to the District of Columbia Court of Appeals, the U. S. Supreme Court has reversed a decision of that court holding it had jurisdiction in the Associated Broadcasters case.

The court's decision, delivered by Associate Justice Frankfurter, affirmed FCC contentions that the lower court had no authority to intervene in its refusal to permit the transfer of Station KSFO, San Francisco, from Associated Broadcasters, Inc., to the Columbia Broadcasting System.

Pointing out that the Communications Act specifically designated the types of cases which might be appealed direct to the District of Columbia court, all of which relate to licenses, Justice Frankfurter ruled that denial of an assignment of license did not fall in that group, leaving it in the category of cases within the jurisdiction exclusively of the appropriate three-judge district court.

The Supreme Court decision was confined to the question of jurisdiction and made no attempt to deal with the merits of the issue, which was raised by both Associated Broadcasters and CBS in separate suits.

Three Stations Ask Power Increases

WASHINGTON, Nov. 26.—Increases in power have been asked by three broadcasting stations in applications filed with the Federal Communications Commission.

Station WINS, New York, has applied for a change of frequency from 1,180 to 1,000 kilocycles and increase of power from 1,000 to 50,000 watts, with extension of time from limited to unlimited; Station WSOY, Decatur, Ill., has asked a change of frequency from 1,310 to 1,290 kilocycles and increase of power from 250 watts to 1,000 watts night, 5,000 watts day and Station WMBR, Jacksonville, Fla., seeks a change of frequency from 1,370 to 1,020 kilocycles and increase of power from 250 to 10,000 watts.

Is Elected Mayor

SEATTLE, Nov. 26.—George Borden, Jr., operator of the International and AMBC Theatres in Blaine, Wash., has been elected mayor of that municipality.

Off the Antenna

MANY band leaders, caught in the middle of the current fight with Ascap, are taking undercover steps to protect themselves from a lack of music after Jan. 1 without getting involved with either side. Principally, many of them are putting aside all new compositions written by themselves or members of their bands and holding them until they can determine which way the fight goes. Leaders who publish Ascap catalogues are doing this as well as the others, it was reported. If Ascap music goes off the air, these leaders can then uncover the dormant items for sale to BMI.

Other developments in the music battle yesterday were the disclosure by Gene Buck, Ascap president, that WCFL, Chicago, had signed with Ascap for another five years, and the publication by the National Association of Broadcasters of a 16-page booklet, "Portrait of a 'Protector,'" discussing the situation for the public.

• • •

Purely Personal: *Arturo Toscanini has cancelled next Saturday's appearance with the NBC Symphony because of illness and Hans Wilhelm Steinberg will conduct instead. . . . Judith Rutherford, sister of Ann Rutherford, will be guest on Lyle Talbot's Hollywood show over WHN tomorrow at 7 P.M. . . . Tom Harmon, Michigan football star, will be guest on Eddie Cantor's show over NBC-Red tonight. . . . Alexander Woollcott will return briefly to the air next Wednesday at 7:30 P.M. over NBC-Red as guest on "Cavalcade of America." . . . Paul Whiteman and Les Lieber have collaborated on a book, "How To Be a Bandleader," which will be published by McBride in January. . . . Lyn Murray has been signed to compose the music for "Campbell Playhouse" dramas over CBS Fridays and to conduct the orchestra as well.*

• • •

Warners is considering obtaining a sponsor for the broadcast from Santa Fe on the premiere of "Santa Fe Trail" on either Dec. 13 or 14. The stars of the film as well as many other Hollywood celebrities will be present and Warners believes it might make a good package deal.

• • •

KDKA, Pittsburgh, will switch from the NBC-Blue network to the Red Nov. 1, 1941, and will be replaced by WWVA, Wheeling, West Va., which will operate on 1,170 k.c. with 50,000 watts under the Havana Treaty instead of its present 1,160 k.c. with 5,000 watts on limited time. WWVA will join the Blue either in May or October next year and after KDKA goes to the Red, sponsors using the basic Blue will be required to use WWVA. Basic rate for the new affiliate will be $320 per evening hour.

• • •

Program News: *Dorothy Thompson's Mutual show has acquired two more local sponsors. . . . Ralph Edwards' "Truth or Consequences" show has been signed for a vaudeville tour starting Friday in Cleveland. . . . Col. Stoopnagle's CBS contract has been renewed by Mennen for the fourth time. . . . Howard Barnes,* Herald Tribune *film critic who is heard over WOR in midnight reviews of films and plays, will have his talks recorded and repeated on Tuesdays through Saturdays at 2:25 P.M. . . . "Where Are You From?" has switched sponsors from Mission Dry to Rex Cole and General Electric over WOR. . . . "Children Are People" will supplant "Columbia's Lecture Hall" over CBS Mondays, Tuesdays, and Wednesdays at 3:45 P.M. beginning Dec. 12. . . . Jack Benny will bring his troupe to New York for the premiere of his new film, "Love Thy Neighbor," leaving Hollywood on Dec. 9.*

• • •

American Tobacco has decided not to continue the recorded repeat broadcasts of "Information, Please" over WMCA Tuesday nights, and yesterday's broadcast was the second and last of the repeat shows. Originally, it was thought that many listeners would be lost by the switch from Tuesdays to Fridays, but it was subsequently decided that the audience would be split rather than augmented by the repeat show and the remaining 11 programs over WMCA have been cancelled.

NBC Short Wave Gets Two Sponsors

Two new sponsors for short wave broadcasts to Latin America have been obtained, NBC has disclosed. "American Aviation," a sustainer, will be sponsored for 52 weeks by American Export Airlines. The Texas Co., which is sponsoring Metropolitan Opera broadcasts over 131 Blue stations, has purchased time for the opera series.

Ontario Official Dies

TORONTO, Nov. 26.—Harry W. Boal, well known exhibitor of Ontario and chief inspector of the Amusements Revenue Branch of the Provincial Government, died after a long illness.

Acquires Franchise

A. R. Dietz, formerly of G. B., has acquired the St. Louis franchise for Producers Releasing Corp.

'Ramparts' Player Dead

Funeral services will be held tonight in Ridgewood, N. J., for Clarence Warner Stowell, 56, who played the leading role in the March of Time feature, "Ramparts We Watch." He died Monday at Paterson General Hospital from injuries sustained in an automobile accident. Surviving are the widow and seven sons.

Poller Rites Held

Funeral services were held yesterday at Riverside Memorial Chapel for Nathan Poller, brother of M. G. Poller, head of the RKO playdate department, who was killed in an automobile accident near Washington on Saturday night.

W. D. Budd Dies

ANITA, Ia., Nov. 26.—W. D. Budd, who has assisted his son, Cecil, in the operation of the Rialto here, died of a heart attack at his home yesterday.

Theatre Changes

Open Pittsburgh Suburban

PITTSBURGH, Nov. 26.—The new Temple Theatre has been opened in suburban Sheridan, fifth in the growing Fineman-Shapiro circuit. Costing $150,000, the Temple includes a recreation room on its top floor, to be used as a community center. The house seats 800.

Getting Film Equipment

PHILADELPHIA, Nov. 26.—The Locust St. Theatre, operated as a legitimate house by the Shubert theatrical interests, is being equipped with a new sound system for talking pictures, replacing the one originally installed there about five years ago.

New Iowa House Opens

HAWARDEN, Ia., Nov. 26.—The Our Theatre, a new 450-seat house, has been opened here by a company to be known as Our Theatre Corp. The theatre is to be managed by Ernest Cardwell, who bought a former skating rink here last Spring and transformed it into a theatre.

Ellison Florida Manager

KANSAS CITY, Nov. 26.—Gus Diamond, who operates theatres in Salina, Arkansas City, and Eldorado, Kan., and who will complete the new Vogue at Orlando, Fla., by Dec. 1, has named Homer Ellison as manager. Ellison has been in this territory several years, and formerly managed the State at Garden City, Kan.

Reopens in North Carolina

MARSHALL, N. C., Nov. 26.—The Princess, operated by the Cherokee Amusement Co., dark for some time because of damage by recent floods, has reopened.

Installs New Sound

PHILADELPHIA, Nov. 26.—Warners' Sedgwick will install a complete new sound and projection equipment at a cost of $25,000.

Zeilor to Senator

PITTSBURGH, Nov. 26. — William Zeilor, manager of the wrecked Alvin Theatre, has been appointed manager of the Senator, with former Senator manager John Hooley moving to the Harris Amusement Co. relief manager list.

Pa. Manager Transferred

PITTSBURGH, Nov. 26. — Vincent Choate, Orpheum manager, has been transferred to Bradford, Pa., as manager of the two Shea theatres there.

Takes House in Missouri

KANSAS CITY, Nov. 26.—J. R. McElwee has taken over the Gem Theatre at Richland, Mo., from Mr. and Mrs. Royal Cowger.

Close Deal With Altec

Mion and Murray Theatres of Atlanta have closed with Altec Service Corp. to service their new suburban theatres, the Decatur in Decatur, Ga., Little 5 Points Theatre in Atlanta, and the East Point Theatre in East Point, Ga.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 105 NEW YORK, U. S. A., THURSDAY, NOVEMBER 28, 1940 TEN CENTS

Committee to Guide System Of Arbitration

Paul Felix Warburg Is Head of A.A.A. Group

An administrative committee of seven members was appointed yesterday by Lucius R. Eastman, chairman of the board of the American Arbitration Association, to administer the arbitration system for the industry under the Federal consent decree. The committee members are officers of the A.A.A.

The committee was set up in conformance with provisions of the decree designating the A.A.A. as administrator of the industry's arbitration machinery, and will function for the Association in that capacity.

The committee consists of the following: Paul Felix Warburg, chairman, a partner of the J. S. Bache & Co. brokerage firm; Herman Irion, general manager of Steinway & Sons, and Evan E. Young, vice-president of Pan-American Airways, vice-chairmen; Frances Kellor, first vice-president of the A.A.A., executive member of the committee; Sylvan Gotshal, of the New York law firm of Weil, Got-

(*Continued on page* 4)

Coast Flashes

Hollywood, Nov. 27

JOHN HAY WHITNEY, representing the National Defense Advisory Committee, arrived today from the East and held a preliminary conference with Y. Frank Freeman, Producers' Association president and head of the Hollywood National Defense production committee, which is active in the production of films for Government agencies. Whitney is here to discuss the industry's part in Pan-American defense. He will meet with the full committee shortly.

•

Will H. Hays and Francis Harmon of the M. P. P. D. A. addressed today's weekly luncheon of studio publicity directors on general industry problems from a publicity viewpoint. Harmon will remain here for some time to confer with publicity heads.

•

Loretta Young was signed today to star in "Lady from Cheyenne," first of three Frank Lloyd productions for Universal release.

'Dictator' Rental 50% in England; To Have Triple London Premiere

London, Nov. 27.—Teddy Carr, United Artists representative in England, conferred today with representatives of the Cinematograph Exhibitors Association on the sales policy in this country for "The Great Dictator."

Carr reported Charlie Chaplin's decision to rent the film on a basis of 50 per cent, with no admission increases anywhere. Carr expressed the hope that exhibitors here will collaborate with extended runs.

A print is expected here within a few days, and a press show is planned. It will be followed by a triple London premiere, at the Gaumont, Marble Arch Pavilion and Prince of Wales theatres. The latter is usually a legitimate house.

Extras Vote for Direct SAG Rule

HOLLYWOOD, Nov. 27.—Extra players of the Screen Actors Guild today abolished their Class B Council governing body by a vote of 2,666 against 507. At the same time, by a vote of 2,740 to 434 they decided in favor of a priority system of employment and placed their affairs directly in the hands of the Guild's board of directors.

The vote endorsed the standing committee's report which, among other things, recommended removal from the industry of extras who worked only 10 days or less in the last year and other projects designed to give extra players a living wage.

Immediately on announcement of the results of the referendum, Kenneth Thomson, S. A. G. executive secretary, sent letters to the 15 Class B Council members declaring their position and committees extinct.

On alternative methods of extra representation, 1,616 extras favored direct administration by the S. A. G.

U. S. Suit Lawyers Vacate Offices Here

Department of Justice representatives yesterday began the evacuation of the Federal Building quarters they have occupied for the past two years while engaged on the industry anti-trust suit. Virtually all records, equipment and personnel are being returned to Washington. Only a small department in charge of Assistant Attorney General Edward Whalen will be maintained in New York, although others will be sent here from Washington as their presence is required in connection with the amended complaint against the three non-consenting companies.

Theatres Boom in Isolated Amarillo

AMARILLO, Tex., Nov. 27.—Theatre business is booming in this isolated city of 55,000 which since Sunday had been virtually cut off from the world by the breakdown of its power, light and water supply and communications. The city is darkened and radio sets are not functioning. Film shows are the only available entertainment.

Theatres were not damaged by the sudden ice storm which struck the Panhandle. They were closed for a brief period Sunday and all of Monday, but were open again Monday evening.

Outside communication was cut off for more than three days. With the restoration of telegraph service today, William O'Donnell, regional manager of Interstate Theatres, which has four local houses, finally got word through to Fred Patterson, city manager here, offering the theatres to shelter the homeless.

Amarillo is isolated for 50 miles in every direction. Water supply was expected to be restored tonight, but full electrical power is not expected until some time next week.

LaCrosse Trial to Be Resumed Jan. 6

Trial of the LaCrosse Theatre Co. anti-trust suit against Paramount and other major distributors will be resumed in Federal court at Madison, Wis., on Jan. 6. Settlement overtures have been rejected by the defendants.

Trial of the suit, which alleges $1,476,000 damages, was halted Nov. 6 after it had been in progress for only a few days, because of the illness of Robert A. Hess, Milwaukee, attorney for the plaintiff.

IN this issue *Motion Picture Daily* devotes a section to the development of the radio industry on the occasion of the 20th anniversary of broadcasting.

U.S. Dismisses Citations on F.W.C. Decree

Drop Criminal Charges Due to N. Y. Pact

LOS ANGELES, Nov. 27.—Criminal contempt charges against 12 distribution and theatre companies and 54 of their officers and employes over alleged violations of the Fox West Coast consent decree were dismissed by Judge Campbell Beaumont in Federal District Court here today.

The Government, through Assistant U. S. Attorney General Harold Collins, requested the dismissal on the grounds that the consent decree in the Government's New York suit disposed of some of the matters at issue in the Fox West Coast case, while others would be subject to arbitration under the New York decree.

The contempt proceedings, which were filed more than a year ago, have been held in abeyance to await the outcome of the New York anti-trust suit.

Pat Millikan, counsel for United Artists and Universal, which are not parties to the New York consent decree, appeared for those defendants in the contempt proceedings and offered no objection to the dismissal. Columbia, which also is not a party to the New York consent decree, is not a defendant in the contempt action here. All other major companies and Fox West Coast were involved in the contempt action.

Decree Entered in 1932

The Fox West Coast consent decree was entered in 1932, following the filing of an anti-trust suit charging the circuit with monopoly of first run exhibition of major companies' product. Four years later, West Coast exhibitors filed numerous complaints with the Department of Justice, alleging inability to obtain product and unfair clearance and zoning regulations in their territory. After a lengthy investigation by Collins and Albert J. Law, of the Department of Justice, the criminal contempt proceedings alleging violations of the consent decree were instituted.

Dismissal of the charges is in line with a prior agreement reached with the Government in negotiating the New York decree. Similar procedure will be followed in the Balaban & Katz decree contempt case in Chicago.

Meet Tomorrow on British Army Films

LONDON, Nov. 27.—Representatives of the Cinematograph Exhibitors Association and the Kinematograph Renters Society (distributors) will meet with the Army Council on Friday in an effort to reach an agreement on a new policy for the supply of films for troops.

An impasse was reached recently when the Army Council sought to make effective an arrangement whereby it would have a virtual monopoly of the supply of screen entertainment for soldiers. The two trade bodies, refusing to cooperate, insisted the present arrangement is satisfactory.

8 From UA Between Now and Next April

United Artists expects to release eight productions between now and April, according to a company announcement issued yesterday.

Productions are: "Lady Hamilton," "That Uncertain Feeling," "Major Barbara," "Pot o' Gold," "So Ends Our Night," "Topper Returns," "Broadway Limited" and "Cheers for Miss Bishop."

For the world premiere of Edward Small's "The Son of Monte Cristo" at the Capitol on Broadway, Dec. 4, United Artists is planning a special advertising campaign which officials state will form the basis for an extensive national drive.

Suit Tests Equity Amateur Definition

LOS ANGELES, Nov. 27.—The first local court test of Actors Equity Association's definition of amateur and professional theatres started today with the filing by the Los Angeles Civic Theatre, Inc., of a $10,000 damage suit in Superior Court against Equity, the I. A. T. S. E. and Stagehands Local 150.

The suit seeks damages for Equity's alleged urging of a stagehands' strike at the Mayan Theatre where "Desire Under the Elms" was being presented by an amateur cast.

Rensselaer Sunday Business at Capacity

ALBANY, Nov. 27.—Following the Common Council's ordinance legalizing Sunday films in Rensselaer, last upstate city to scrap film blue laws, capacity attendances were reported by Cliff Swick of the Uptown Theatre. Both matinees and evening performances combined for the best one-day business in years.

In the wake of the action after a 20-year fight, another theatre long dark is to be reopened in the downtown section.

Writer Sues Universal

LOS ANGELES, Nov. 27.—Charging unauthorized use of his story, "The Strange Story of the Versailles Treaty's Lost Skull," Norman Rose, writer, today filed a $75,000 damage suit against Universal. He cited the film "Zanzibar" as using portions of his story.

Personal Mention

SPYROS SKOURAS, head of National Theatres, is expected on the Coast tomorrow.

•

DAVID ROSE, Paramount managing director in England, is due today from Europe on the *Excambion.*

•

E. C. RAFTERY will arrive from the Coast Saturday.

•

JACK KEEGAN of the Milwaukee division of Warner Theatres is in town for a few days.

•

PAUL E. ACKERMAN of the Paramount foreign publicity department will be the principal speaker at the annual dinner of the College Fraternity Editors Association on Saturday.

•

MOE KALIS of the Buchanan Agency, formerly Paramount art director, has two paintings in the Montross Gallery's exhibit of the work of 30 American artists.

•

ARTHUR DREIFUSS has returned from Florida.

•

MEYER P. BECK, Eastern representative for RUSSELL BIRDWELL, is at Mt. Sinai Hospital for a minor operation.

•

HAROLD ESKIN, manager of the Stamford Theatre, Stamford, Conn., has left for Florida following a minor operation.

•

NORMAN ELSON leaves tomorrow on a Southern trip.

NATE B. SPINGOLD, Columbia executive, returned from the Coast yesterday.

•

GABRIEL PASCAL, British producer, is expected here next week by Clipper.

•

PAT GARYN of Dallas is in New York for a brief visit.

•

HERMAN ROBBINS, ROBERT WEITMAN, DAVE BLUM, HARRY THOMAS, MORT SPRING, WILLIAM MELNIKER, JOHN HERTZ, JR., CHARLES CURRAN, JOAN CRAWFORD, JOHN BARRY, RUDY MONGELAS, HAROLD ORLOB, CLAIRE TREVOR, AL LEWIS, LEE SHUBERT, JOHN GOLDEN, MORRIS GEST, EDWARD CHOATE, KENYON NICHOLSON, VERNON DUKE, JACK GODDARD and IRWIN SHAW lunching at Sardi's yesterday.

•

EMANUEL SILVERSTONE, ABE SCHNEIDER, MARVIN SCHENCK, NATE SPINGOLD and EDWARD PESKAY lunching yesterday at Lindy's (next to the Rivoli).

•

OSCAR A. DOOB, TOM CONNORS, GEORGE WELTNER, ERNO RAPEE, JOHN W. HICKS and MAX A. COHEN at Nick's Hunting Room in the Astor for lunch yesterday.

•

JOSEPH MOSKOWITZ, LOU BRANDT and HAL HORNE having lunch yesterday at Lindy's (51st St.)

•

KENNY BAKER is on a concert tour.

Pa. Censor Statute May Be Amended

PHILADELPHIA, Nov. 27. — An amendment to the state censor law requiring the censor board to make public the eliminations they order from films will be proposed at the next session of legislature, according to reports from newly-elected members of the state body.

Such a move is proposed, it is said, because of the board's action in banning "The Ramparts We Watch" and "The World In Flames," then lifting the ban on the former with minor deletions and the latter with no changes.

French Firm Sues Marlene Dietrich

Forrester Parant Productions, a French company, filed suit in N. Y. Supreme Court yesterday against Marlene Dietrich, asking $98,000 for alleged breach of contract. The plaintiff claims the actress contracted to make a picture, and that she failed to fulfill the contract.

Games Are Ordered Halted in Ohio Town

MASSILLON, O., Nov. 27. — Police Chief Stanley W. Switter has warned theatres that games must stop, and that arrests will follow failure to comply with the order. The action is part of an anti-gambling drive recently inaugurated here.

Pittsburgh House Seeking New Plays

PITTSBURGH, Nov. 27.—The Nixon Theatre is seeking plays to fill in the season, despite big grosses for all three shows here so far.

Manager Harry Brown issued a public letter proclaiming advent of attractions "when available," but so far the only ones set are "New Pins and Needles," Dennis King's new play, and "The Man Who Came to Dinner." "Ladies in Retirement" grossed over $15,000, "Time of Your Life" took nearly $17,000, and "There Shall Be No Night" hit $28,000, all American Theatre Society subscription plays.

Back to Extended Runs

SEATTLE, Nov. 27. — After a one-week trial on a 15 and 20-cent third run policy with two changes weekly, the Blue Mouse Theatre is returning to its former policy of extended runs from the Hamrick-Evergreen circuit's Paramount and Fifth Avenue theatres. Admissions will again be 30, 40 and 50 cents.

GTE 25-Cent Dividend

The board of directors of General Theatres Equipment Corp. has declared a dividend of 25 cents per share on the capital stock, payable Dec. 20 to stockholders of record Dec. 10.

Lewis on 'Fantasia'

Burton Lewis, formerly of Walt Disney Productions' foreign department, has been added to the publicity staff for "Fantasia."

Asks British Video Sets Be Sold in U.S.

LONDON, Nov. 27.—In the House of Commons today Captain Plugge suggested the Government arrange for the sale in the United States and elsewhere of thousands of television sets currently inoperable in Great Britain.

Harcourt Johnston, representing the Government Department of Overseas Trade, pointed out that the existing English television sets do not incorporate United States patents.

20,000 Pack Garden For 'Night of Stars'

A capacity audience of 20,000 attended the annual "Night of Stars" show at the Madison Square Garden last night under the auspices of the United Jewish Appeal for refugee relief. As in former years, the show presented a wealth of entertainment. Eddie Cantor, Al Jolson, Jay C. Flippen, Dick Fishell and Henny Youngman were masters of ceremonies.

Marvin Schenck of Loew's was in charge of the production, assisted by Arthur Knorr, Lester Isaac, Don Albert, Sidney Pierpont, John Shubert, Jesse Kaye, Fred Roehrenbeck and others. Nathan Straus was general chairman of the affair.

Honorary chairmen included Barney Balaban, David Bernstein, Nicholas M. Schenck, Louis K. Sidney, Nate J. Blumberg, Jack Cohn, George J. Schaefer, Maurice Silverstone and Major Albert Warner.

Iowa's Tax Report Shows Grosses Off

DES MOINES, Nov. 27.—A report on the state retail sales tax for the period from April 1 to June 30 released by the Iowa State Tax Commission shows that amusements were the only business that had a loss from last year.

The tax collected on motion picture theatres and other established places of amusement amounted to $71,535.35 for the three-month period, compared with $74,930.29 last year, a loss of $3,394.74 in taxes collected and a loss in gross sales of $167,747 for the period. This does not include the tax on carnivals, circuses, tent shows or one night stands.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

Giv 'em "Escape to Glory"

DRAMA...
WITH THE POWER OF PLUNGING PISTONS!



ROMANCE...
WITH THE THROB OF POUNDING HEARTS!



ACTION...
WITH THE SPEED OF FLASHING BULLETS!



BECAUSE THEY'RE LOOKING FOR ESCAPE ENTERTAIN-MENT!



And here are the stars to deliver it all!

PAT O'BRIEN · CONSTANCE BENNETT

Escape to Glory

JOHN HALLIDAY · MELVILLE COOPER · ALAN BAXTER

Screen play by P. J. WOLFSON
Directed by JOHN BRAHM

COLUMBIA PICTURES

Calloway and 'River' Smash, Philadelphia

PHILADELPHIA, Nov. 27.—The Earle, with "East of the River" and Cab Calloway, drew $27,500. "Bitter Sweet" gave the Boyd $17,500. "The Mark of Zorro" at the Fox took $17,000.

Estimated takings for the week ending Nov. 20-22:

"The Great Dictator" (U. A.)
ALDINE—(1,400) (75c-$1.14) 7 days, 4th week. Gross: $7,000. (Average, $9,000)
"Third Finger—Left Hand" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd week, 2nd run. Gross: $3,400. (Average, $2,600)
"Bitter Sweet" (M-G-M)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $17,500. (Average, $13,000)
"East of the River" (W. B.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including Cab Calloway's band, Mills Brothers, Anise & Aland, Cook & Brown, Cab Jivers, Chu Berry and Cozy Cole. Gross: $27,500. (Average, $14,000)
"I'm Nobody's Sweetheart Now" (Univ.)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days, vaudeville including Sally Keith, 16 Roxyettes, Emil Boreo, Tom & Betty Wonders, Pat Henning & Betty Raye, Renolds & White. Gross: $7,400. (Average, $6,900)
"The Mark of Zorro" (20th-Fox)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $17,000. (Average, $13,000)
"Arise, My Love" (Para.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,800. (Average, $4,500)
"Escape" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $12,000. (Average, $14,000)
"The Ramparts We Watch" (RKO)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $7,000. (Average, $4,500)

A.A.A. Appoints Committee To Supervise Arbitration

(Continued from page 1)

shal & Manges; P. M. Height, secretary-treasurer of International General Electric Co., and Wesley A. Sturges, Yale law professor and former head of the Distilled Spirits Institute.

C. V. Whitney, chairman of the board of Pan-American Airways, was elected president of the A.A.A. yesterday, and with Eastman, A.A.A. chairman, will be ex-officio member of the administrative committee. None of the members of the committee will receive any compensation. The committee may be enlarged at the discretion of the A.A.A. It will hold weekly meetings and its principal functions will be to set up regulations for the establishment, maintenance and administration of the industry's arbitration system under the decree and to act in an advisory capacity on whatever problems may arise from time to time in connection with the functioning of industry arbitration.

In addition, Franklin E. Parker, Jr., retiring president of the A.A.A., has been named chairman of the Association's standing committe on arbitration. This committee will have the deciding voice in choosing the panels of arbitrators for the 31 local boards to be set up in the industry. J. Noble Braden, executive secretary of the A.A.A., has started a tour of exchange cities and is compiling lists of candidates for the 31 panels. His selections will be submitted to the arbitration committee for approval.

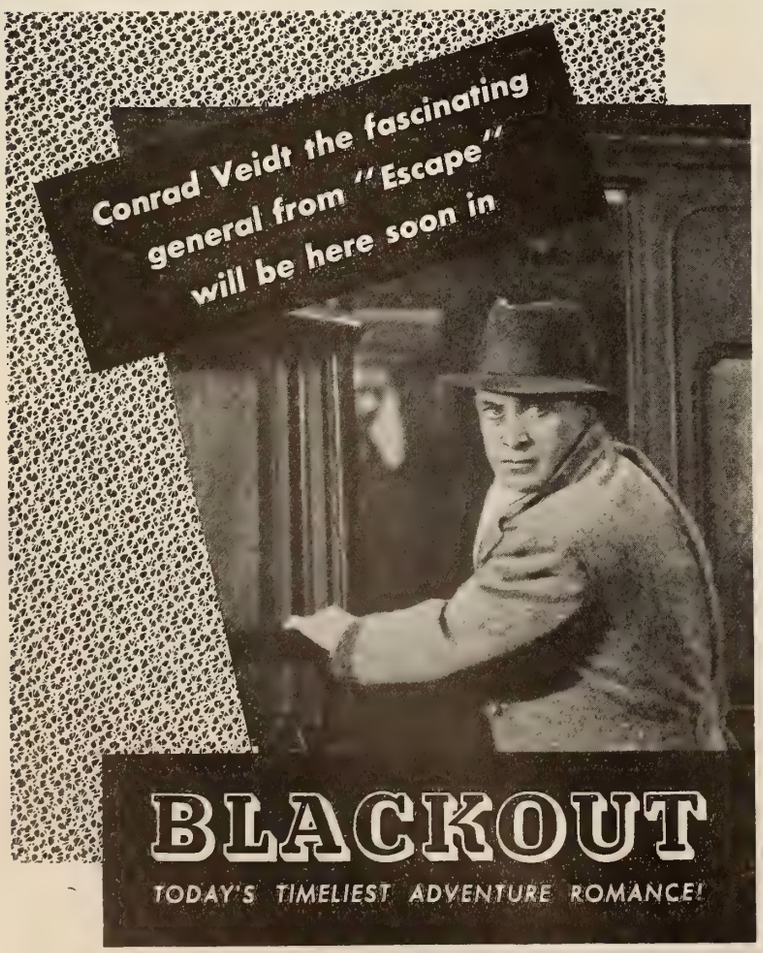
Both Warburg and Braden were active in the formulation of the arbitration provisions of the consent decree when they were negotiated by Government and defense attorneys.

Stagehands Elect

NEW HAVEN, Nov. 27.—The Stage Employes Local 74 has set Sunday for the annual election of officers. Local B-41 of the Exchange Employes Union has postponed a meeting scheduled for this week.

Opens K. C. Exchange

KANSAS CITY, Nov. 27.—Select Attractions, Inc., has opened an office under Bert Edwards here to distribute films in this territory.



"Police" at $15,000 Best in Cincinnati

CINCINNATI, Nov. 27. — "North West Mounted Police" pulled a smash $15,000 at advanced prices at the RKO Capitol, and "Escape" had a $13,000 week at the RKO Albee. "Bitter Sweet" registered $11,000 at the RKO Palace. The weather was pleasant.

Estimated takings for the wek ending Nov. 20-23:

"Escape" (M-G-M)
RKO ALBEE — (3,300) (33c-40c-50c) 7 days. Gross: $13,000. (Average, $12,000)
"Bitter Sweet" (M-G-M)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $11,000. (Average, $10,000)
"The Mark of Zorro" (20th-Fox)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days, 3rd week. Gross: $3,200. (Average, $5,000)
"North West Mounted Police" (Para.)
RKO CAPITOL—(2,000) (42c-60c) 7 days. Gross: $15,000. (Average, at 33c-40c-50c, $5,500)
"The Long Voyage Home" (U. A.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days, 2nd week. Gross: $4,200.
"They Knew What They Wanted" (RKO)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 2nd week. Gross: $2,800. (Average, $4,500)
"Before I Hang" (Col.)
"Stagecoach" (Para.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"Phantom of Chinatown" (Mono.)
"Ride, Tenderfoot, Ride" (Rep.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $750. (Average, $800)
"Arise, My Love" (Para.)
KEITH'S—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $3,200. (Average, $5,000)

Flynn Sues Author

Errol Flynn, actor, has filed a $2,000,000 libel suit in N. Y. Supreme Court against Constancia de la Mora, author of the book "In Place of Splendor," Harcourt Brace & Co., publisher, and Quinn & Boden Co., printer. The suit charges the book with stating that Flynn visited Spain for publicity purposes.

Two Firms Chartered

ALBANY, Nov. 27.—Two firms chartered here include: Esquire-Great Neck Corp., by Michael Gerome, Robert Pulleyn and Richard Jackson, New York, and Webster Amusement Corp., by Edmund Souhami, David L. Lang and Jules Mendelson, New York.

'Parade' Gets Big $24,000, Los Angeles

LOS ANGELES, Nov. 27.—"Spring Parade" and "Men Against the Sky" scored a total of $24,000 at two houses, $11,700 at the Hillstreet and $12,300 at the Pantages.

Estimated takings for the week ending Nov. 27:

"Bitter Sweet" (M-G-M)
"Charlie Chan at the Wax Museum" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $11,300. (Average, $12,500)
"The Great Dictator" (U. A.)
CARTHAY CIRCLE—(1,518) (75c-$1.65) 7 days. Gross: $15,500. (Average, $17,000)
"The Long Voyage Home" (U. A.)
4 STAR—(900) (44c-55c) 7 days, 2nd week. Gross: $4,200. (Average, $3,250)
"Spring Parade" (Univ.)
"Men Against the Sky" (RKO)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $11,700. (Average, $6,500)
"Bitter Sweet" (M-G-M)
"Charlie Chan at the Wax Museum" (20th-Fox)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $14,500. (Average, $14,000)
"Spring Parade" (Univ.)
"Men Against the Sky" (RKO)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $12,300. (Average, $7,000)
"North West Mounted Police" (Para.)
PARAMOUNT — (3,595) (44c-55c-75c) 7 days, 3rd week. Stage: Fanchon & Marco "On Parade"; Rube Wolf & orchestra. Gross: $16,000. (Average, $18,000)
"Lady with Red Hair" (W. B.)
"Who Killed Aunt Maggie?" (Rep.)
WARNER BROS. (HOLLYWOOD) — (3,000) (33c-44c-55c-75c) 7 days. Gross: $7,600. (Average, $14,000)
"Lady with Red Hair" (W. B.)
"Who Killed Aunt Maggie?" (Rep.)
WARNER BROS. (DOWNTOWN) — (3,400) (33c-44c-55c-75c) 7 days. Gross: $7,800. (Average, $12,000)
"The Great Dictator" (U. A.)
UNITED ARTISTS—(2,100) (68c-$1.65) 7 days. Gross: $15,000.

Indianapolis Gives "Mounted" $7,400

INDIANAPOLIS, Nov. 27. — "North West Mounted Police" turned in powerful second week business of $7,400 at the Circle and was held for a third week.

Estimated takings for the week ending Nov. 21-22:

"North West Mounted Police" (Para.)
CIRCLE—(2,800) (28c-33c-44c) 7 days, 2nd week. Gross: $7,400. (Average, $6,000)
"Too Many Girls" (RKO)
"Dreaming Out Loud" (RKO)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $5,800. (Average, $5,500)
"Kit Carson" (U. A.)
"Doctor Kildare Goes Home" (M-G-M)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $7,000. (Average, $7,000)
"Hit Parade of 1941" (Rep.)
LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: "Hollywood on the Loose," with Tom Brown, Arleen Whelan, Alexander D'Arcy, Judith Allen. Gross: $8,300. (Average, $8,000)

Sues Over Contract

Suit for $6,000 damages has been filed in N. Y. Supreme Court by Martin Licht against J. H. Hoffberg Co., Inc., claiming breach of a contract which gave the defendant exclusive distribution rights to the film "Ultimatum."

Preview Anderson Film

A preview of Maxwell Anderson's "Journey to Jerusalem," produced by Theatre-on-Film, Inc., headed by Joseph Pollak, will be held Sunday night at the Little Carnegie Playhouse.

Short Wave Station Rushed in Canada

Toronto, Nov. 27.—The Canadian Broadcasting Corp. is rushing the construction of a short wave broadcasting station at Vercheres, in the Atlantic region, with which to send programs to Europe and South America, this being the first short wave transmitter to be established by the Government-sponsored system. It is expected that the station, which will have a 7½ kilowatt capacity, will be put into commission in December.

'People' and Show $24,000 in Detroit

DETROIT, Nov. 27. — "Young People" and a stage show including a Louella Parsons Hollywood unit drew $24,000 at the Fox. "Escape" and "Christmas in July" scored $9,500 at the Palms, and "Bitter Sweet" took $12,000 at the United Artists.

Estimated takings for the week ending Nov. 21:

"The Mark of Zorro" (20th-Fox)
"A Little Bit of Heaven" (Univ.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $6,000. (Average, $5,500)
"The Howards of Virginia" (Col.)
"Hired Wife" (Univ.)
FISHER—(2,700) (15c-50c) 7 days. Gross: $7,000. (Average, $7,000)
"Young People" (20th-Fox)
FOX—(5,000) (15c-35c-40c-55c) 7 days. On Stage: Louella O. Parsons, Binnie Barnes, Robert Cummings, Brenda Joyce, June Preisser, Sabu, William T. Orr, Mike Frankovitch, Virginia O'Brien. Gross: $24,000. (Average, $15,000)
"Arise, My Love" (Para.)
"Flowing Gold" (W. B.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $13,000. (Average, $12,000)
"Escape" (M-G-M)
"Christmas in July" (Para.)
PALMS—(3,000) (25c-39c-55c) 7 days. Gross: $9,500. (Average, $7,000)
"Bitter Sweet" (M-G-M)
"Sky Murder" (M-G-M)
UNITED ARTISTS—(2,000) (20c-39c-44c-55c) 7 days. Gross: $12,000. (Average, 10,000)

Warners Buy Play

Warners have purchased the film rights to "George Washington Slept Here," comedy by George S. Kaufman and Moss Hart now at the Lyceum. The company bought the rights to "The Man Who Came to Dinner," Kaufman-Hart play, earlier this year, and plans to produce it next Spring, with the authors doing the screenplay.

Tracy in "Dr. Jekyll"

HOLLYWOOD, Nov. 27. — Spencer Tracy will be starred in M-G-M's forthcoming "Dr. Jekyll and Mr. Hyde," which Victor Fleming will direct and Victor Saville will produce.

Drop Coin Machine Ban

CHICAGO, Nov. 27.—The banning of coin music machines by Mayor Edward J. Kelly was recently lifted when the Mayor announced that the tavern music boxes will be legalized.

New Tampa Theatre

TAMPA, Nov. 27.—B. E. Gore, who plans to open the new State Theatre here on or about Dec. 15, will play Warner product, Warners has announced.

Feature Review

"Law and Order"

(*Universal*)

THE W. R. Burnett story of the conversion of a town in the West from lawlessness through the efforts of the Western hero serves as a vehicle for Johnny Mack Brown, Fuzzy Knight, James Craig, Nell O'Day and others. A cowboy singing group, the Notables Quartette, interrupts pleasantly with outdoor melodies.

The story, adapted by Sherman Lowe and Victor McLeod and directed by Ray Taylor, tells of the widely-known law officer, Brown, who arrives in town during an obviously crooked election, intent upon abandoning his occupation in favor of ranching. The murder of Miss O'Day's father, however, makes him change his plans, the result being the downfall of gang rule and injustice.

The film should be agreeable to Western film fans, since it is well seasoned with action and excitement.

Running time, 57 minutes. "G."*

*"G" denotes general classification.

'Nellie' at $12,500 Tops Providence

PROVIDENCE, Nov. 27. — Loew's State took $12,500 with "Little Nelly Kelly" and "Passport to Alcatraz," and the Majestic, playing "Mark of Zorro" and "Always a Bride," did $7,200.

Estimated takings for the week ending Nov. 20-21:

"One Night in the Tropics" (Univ.)
"I'm Still Alive" (RKO)
RKO ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $5,100. (Average, $6,000)
"Little Nelly Kelly" (M-G-M)
"Passport to Alcatraz" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $12,500. (Average, $11,000)
"The Mark of Zorro" (20th-Fox)
"Always a Bride" (W. B.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $7,200. (Average, $7,000)
"Arise, My Love" (Para.)
"Melody and Moonlight" (Rep.)
STRAND—(2,200) (28c-39c-50c) 6 days, 2nd week. Gross: $5,500. (7 day average, $6,000)
"The Ape" (Mono.)
METROPOLITAN — (3,045) (28c-39c-50c) 3 days. Stage show with Will Hudson and orchestra; Dixie Dunbar; Frances Faye; Frank Gaby; and The Three Arnolds. Gross: $3,200. (Average, $7,000)
"Seven Sinners" (Univ.)
"Father Is a Prince" (W. B.)
CARLTON—(1,526) (28c-39c-50c) 7 days. Gross: $1,500. (Average, $3,500)
"Youth Will Be Served" (20th-Fox)
"Trailing Double Trouble" (Mono.)
FAY'S—(1,800) (15c-28c-39c) 7 days. Gross: $2,100. (Average, $2,500)
"Strange Cargo" (M-G-M) (3 days)
"Blondie Has Servant Trouble" (Col.) (3 days)
"Dulcy" (M-G-M) (4 days)
"Tom Brown's Schooldays" (RKO) (4 days)
EMPIRE — (2,200) (20c-28c) 2nd run. Gross: $1,650. (Average, $1,700)

Legion Approves 12 of 14 New Pictures

Of 14 new pictures reviewed and classified for the current week, the National Legion of Decency has approved 12, six for general patronage and six for adults, while two were classed as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage — "Always a Bride," "Blondie Plays Cupid," "Little Nellie Kelly," "Maria," "Nobody's Children," "You'll Find Out." Class A-2, Unobjectionable for Adults — "Dark Streets of Cairo," "Fantasia," "Gallant Sons," "Girls Under 21," "Give Us Wings," "Jennie." Class B, Objectionable in Part—"The Letter," "Seven Sinners."

Shift Pittsburgh Films

PROVIDENCE, Nov. 27.—As a result of the collapse of the Alvin Theatre here, and the jam of product in other theatres, the Fulton Theatre is expected to get "The Long Voyage Home," and the Barry is showing more major company product than in the past.

Eastman Sues on Patent

Eastman Kodak Co. yesterday filed suit in U. S. District Court here against Charles McAuley and McAuley Woodcrafting Co., charging infringement of a patent covering improvements on film reels.

'Voyage' Pulls Good $9,500 Gross in Loop

CHICAGO, Nov. 27.—"Long Voyage Home" drew $9,500 at the Apollo for the best proportionate gain. "City for Conquest" with Abbott & Costello heading a stage show at the Chicago took $38,000.

Estimated takings for the week ending Nov. 22:

"Long Voyage Home" (U. A.)
APOLLO—(1,400) (35c-55c-65c-75c), 7 days. Gross: $9,500. (Average, $6,500)
"City for Conquest" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Abbott & Costello, Merry Macs and Larry Adler. Gross: $38,000. (Average, $32,000)
"Nobody's Sweetheart" (Univ.)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: George White's Scandals Unit. Gross: $18,000. (Average, $13,000)
"Little Bit of Heaven" (Univ.)
"Night in Tropics" (Univ.)
PALACE—(2,500) (35c-40c-60c) 7 days. Gross: $12,000. (Average, $13,000)
"The Great Dictator" (U. A.)
ROOSEVELT—(1,500) (75c-$1.10) 7 days. Continuous, 3rd week. Gross: $10,000. (Average, $11,000)
"Cherokee Strip" (Para.)
STATE-LAKE—(2,700) (25c-40c) 7 days. Stage: Major Bowes Unit. Gross: $17,500. (Average, $15,000)
"Third Finger, Left Hand" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $16,000. (Average, $14,000)
"North West Mounted Police" (Para.)
GARRICK—(1,000) (35c-55c-75c) 7 days, 2nd week. Gross: $6,500. (Average, $5,000)



MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Nov. 1	Blondie Plays Cupid (C) *Penny Singleton Arthur Lake*	Escape (D) 108 *Norma Shearer Robert Taylor*		Dancing on a Dime (C) 4008 *Grace McDonald Robert Paige*	Who Killed Aunt Maggie (D) *John Hubbard Wendy Barrie*	Li'l Abner (C) 109 Too Many Girls (M)			I'm Nobody's Sweetheart (D) 5036 Devil's Pipeline (D) 50.52	Always a Bride (C) *Rosemary Lane*
Nov. 8		Bitter Sweet (M) 110 *J. MacDonald Nelson Eddy*	Chamber of Horrors (D) *Leslie Banks*	Arise My Love (D) 4009 *Claudette Colbert Ray Milland*	Friendly Neighbors (M) *Weaver Bros. and Elviry*	Mexican Spitfire Out West (C) 111 *Lupe Velez*	Mark of Zorro (D) 117 *Tyrone Power Linda Darnell*		Sandy Gets Her Man (C) *Baby Sandy Stuart Erwin*	East of the River (D) *John Garfield Brenda Marshall*
Nov. 15	Beyond the Sacramento (O) *Bill Elliott Evelyn Keyes*	Gallant Sons (D) 111 *Jackie Cooper Bonita Granville*	Take Me Back to Oklahoma (O) *Tex Ritter*	Three Men from Texas (O) 4050 *William Boyd Russell Hayden*	Trail Blazers (O) *3 Mesquiteers* Melody Ranch (O)		Street of Memories (D) 102 *Lynne Roberts*		One Night in Tropics (M) *Nancy Kelly Alan Jones*	South of Suez (D) *George Brent Brenda Marshall*
Nov. 22	Escape to Glory (D) Lone Wolf Keeps a Date (D)	Little Nellie Kelly (M) 112 *Judy Garland George Murphy*	Phantom of Chinatown (D) *Keye Luke*		Texas Terrors (O) *Don "Red" Barry Julie Duncan*	You'll Find Out (M) 108 The Fargo Kid (O)	Youth Will Be Served (D) 119 *Jane Withers Jane Darwell*	Long Voyage Home (D) *John Wayne Thomas Mitchell*	Meet the Wildcat (D) 5023 *Ralph Ballamy*	The Letter (D) *Bette Davis Herbert Marshall*
Nov. 29	Ellery Queen, Master Detective (D) *Ralph Bellamy*	Dr. Kildare's Crisis (D) *Lew Ayres L. Barrymore*	West of Pinto Basin (O) *Ray Corrigan Terhune & King*		Meet the Missus (C) *Higgins Family*		Tin Pan Alley (M) 120 *Alice Faye Betty Grable*	Blackout (D) *Conrad Veidt Valorie Hobson*	The Bank Dick (C) *W. C. Fields Una Merkel*	Lady With Red Hair (D) *Miriam Hopkins Richard Ainley*
Dec. 6	Thundering Frontier (O) *Chas. Starrett Iris Meredith*	Go West (M) 114 *Marx Brothers Diana Lewis*		Night at Earl Carroll's (C) *Ken Murray Lillian Cornell*	Border Legion (O) *Roy Rogers Gabby Hayes*		Charter Pilot (D) 118 *Lloyd Nolan Lynn Bari*		Margie (C) 5026 *Tom Brown Nan Grey*	Invitation to a Murder (D) 520 *Thomas Mitchell Jeffrey Lynn*
Dec. 13	Great Plane Robbery (D) *Jack Holt Vicki Lester*	Comrade X (C) 113 *Clark Gable Hedy Lamarr*	C. C. C. Camp (D) *Bobby Jordan Leo Gorcey*	Texas Rangers Ride Again (O) *John Howard Ellen Drew*	Barnyard Follies (C) *Mary Lee Rufe Davis*		Murder Over New York (D) 121 *Sidney Toler Ricardo Cortez*		Trail of the Vigilantes (D) *Franchot Tone B. Crawford*	She Couldn't Say No (C) 571 *Roger Pryor Eve Arden*
Dec. 20	Phantom Submarine (D) *Anita Louise Bruce Bennett*	Keeping Company (D) 116 *John Shelton*	Her Father's Daughter (D) *Edith Fellows E. Evans*		Behind the News (D) *Lloyd Nolan D. Davenport*	No, No, Nanette (M) *Anna Neagle Zasu Pitts*	Jennie (D) 122 *V. Gilmore William Henry*		Give Us Wings (D) *Dead End Kids*	Here Comes the Navy (D) 525 *James Cagney Pat O'Brien*
Dec. 27	Arizona (O) *Jean Arthur William Holden*	Flight Command (D) 117 *Robert Taylor Ruth Hussey*	Under Texas Stars (O) *Tex Ritter*	North West Mounted Police (D) 3946 Love Thy Neighbor (C)	Lone Star Raiders (O) *3 Mesquitters*	Kitty Foyle (D) *Ginger Rogers Dennis Morgan*	Chad Hanna (D) 123 *Henry Fonda Dorothy Lamour*	Thief of Bagdad (D) *Sabu June Duprez*	Invisible Woman (C) *J. Barrymore Virginia Bruce*	Santa Fe Trail (D) 551 *Errol Flynn O. De Havilland*
Jan. 3	This Thing Called Love (C) *R. Russell Melvin Douglas*		You're Out of Luck (D) *Frankie Darro*	Second Chorus (C) *Fred Astaire Paulette Goddard*	Bowery Boy (D) *Dennis O'Keefe L. Campbell*		Hudson's Bay (D) 115 *Paul Muni Virginia Field*	Son of Monte Cristo (D) *Joan Bennett Louis Haywood*	Where Did You Get That Girl (D) Lucky Devils (D)	Four Mothers (D) 503 *Lane Sisters Jeffrey Lynn*
Jan. 10				Doomed Caravan (O) *Bill Boyd Russell Hayden*	Wyoming Wildcat (O) *Don "Red" Barry Julie Duncan*				San Francisco Docks (D) *Burgess Meredith Irene Hervey*	
Jan. 17				Victory (D) *Fredric March Betty Field*	Robin Hood of the Pecos (O) *Roy Rogers*				Six Lessons from Madame La Zonga (D)	

Every PARAMOUNT SHORT shouts showmanship!



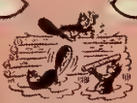
November 15
Gabby Color Cartoon
'THE CONSTABLE'
Technicolor



November 15
Popeye
The Sailor
'WITH POOPDECK PAPPY'



November 22
Paragraphic
'SEEING IS BELIEVING'



November 29
Color
'UNUSUAL OCCUPATIONS NO. 2'

100% BOX OFFICE TESTED!

Paramount



"Unprecedented effectiveness" says "The New York Times" of this New Miracle from the RCA Laboratories

FANTASOUND by RCA

In Fantasia, now playing at New York's Broadway Theatre, Walt Disney again gives American movie goers a notable motion picture "first."

But the picture itself is not the only thoroughly new and different feature of Fantasia. The sound, too, is a notable "first." Named "Fantasound" it was developed by RCA and Disney engineers—and "The New York Times" acclaims it in this way: "Sound is reproduced with a degree of color and effectiveness without a precedent in my experience of either the screen or the radio . . . that 'tone color' of which every musician speaks and which is particularly the attribute of orchestral music is here reproduced with a completeness and sumptuousness for which . . . may be able to furnish a precedent, but I can't."

©W. D. P.

HOW FANTASOUND WORKS

Fantasound differs from ordinary movie sound by recording and reproducing dialogue and music not on one, but on three, sound tracks. It "follows" the action on the screen. When a performer moves from one side of the screen to the other, the sound moves as well, switching from one sound reproducer to another. This same realism is also provided in musical sequences—and results in new richness of instrumental tone because individual sections of a band are separately recorded and reproduced.

In the Broadway Theatre sound reproducers are placed behind the screen—and surround the audience—so that basses, woodwinds, strings, brasses and other sections of the Philadelphia Orchestra, which plays in Fantasia, are heard with all the dramatic beauty that normally reaches only the ears of the conductor. The performances of individual sections are automatically controlled so that a much wider, more realistic volume is enjoyed. Because sound is spread across the stage instead of coming from one speaker centered behind the screen, music is heard as if the orchestra were actually present!

Better Sound Means Better Box Office
RCA Photophone Magic Voice of the Screen Means Better Sound

Developed by the same RCA engineers who collaborated with those of the Disney organization in the creation of Fantasound, the RCA Photophone Magic Voice of the Screen is just what you need to bring your patrons true reproduction of the sound Hollywood records on film. It is designed and priced for theatres of every size.

Although Fantasound by RCA is the first step toward a new era of motion picture sound reproduction, there is no reason why its advent need cause you to withhold the installation of the Magic Voice of the Screen now . . . It's equipment *planned for the future!*

RCA

Radio Corporation of America

Radio City, New York

RCA Manufacturing Company, Inc.
R.C.A. Communications, Inc.
RCA Laboratories
Radiomarine Corporation of America
National Broadcasting Company, Inc.
RCA Institutes, Inc.



For the smaller of our Good Neighbors . . .

The children are beginning to hear it in Chile . . . in Cuba . . . in El Salvador and Argentina—in city and village schools of Central and South America.

"*Transmite la Cadena Radiodifusora Columbia*".

Soon they will know the phrase well:

"*Transmitted by the Columbia Broadcasting System.*"

For with the new school year, Columbia's eleven-year-old American School of the Air crossed the sea southwards and there became the "*Radio Escuela de las Americas*".

The Americas. Plural.

Thus the Columbia Broadcasting System launches an international educational venture big in design, large in hope for the future of these American hemispheres.

For children who study together, who sing the same songs, have the same heroes and legends, know the same history . . . Such children develop, ineradicably, the ties and links that make all the loyalties and brotherhoods of men.

☆ ☆ ☆

What is the American School of the Air which is now "geographically the world's most extensive educational enterprise"?

Simply, it is text-books given voice, plot and human personality—it is history and natural science and current events dramatized and acted; it is music sung; literature heard. It is daily classroom education over the air.

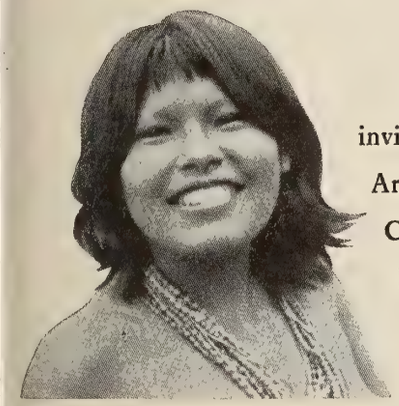
Over eight million U. S. school children and their 200,000 teachers used the American School of the Air programs during the last school year. Five days a week this classroom radio project, the only educational program of its scope on the air, went out to classrooms in all 48 states and in Hawaii.

And now it will go to classrooms all over the Americas. Thirteen nations in the Western Hemisphere have already accepted the



Argentina *Brazil* *Chile* *Costa Rica* *Dominican Republic* *El Salvador*
Bolivia *Canada* *Colombia* *Cuba* *Ecuador*





invitation to participate: Argentina, Brazil, Chile, Colombia, Panama, Honduras, El Salvador, Cuba, the Dominican Republic, Mexico, Canada, and our own Alaska and Puerto Rico.

The plan for the new International School of the Air is no one-way-street, with our U. S. educators deciding what is going forth to the students. All the nations have been invited to assist in furnishing materials for the new programs. And the same programs will be used in our country and theirs.

☆ ☆ ☆

The boys and girls who hear these programs will one day be the statesmen and voters, the educators and law-makers of their countries. To weave them together more closely by years of shared education in the patterns of free minds, of democracy, may profoundly help in weaving together the future of their nations and ours.

That is the profound purpose of this new international venture.

Secretary of State Cordell Hull has said this of the School of the Air of the Americas:

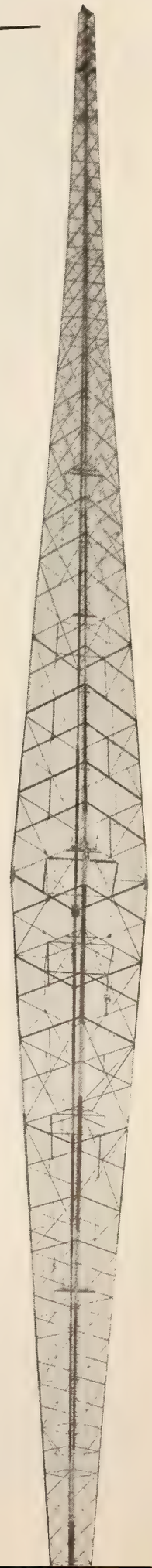
"It would be difficult to devise a form of international cooperation which holds more promise for the deepening and broadening of understanding between the people of the American republics and which may be of more general benefit to these countries."

"*Transmite la Cadena Radiodifusora Columbia.*" To the Americas. Plural.

Already this year 160,000 teachers have sent for the Teacher's Manual of the *School of the Air*, a manual designed to help the teacher make the best use of this classroom project. The 1940-41 issue is now printed in Spanish and Portuguese as well as in English. This 96-page booklet is yours for the asking—in any of the three languages. Columbia Broadcasting System, 485 Madison Ave., N.Y.C.

The Columbia Broadcasting System

Guatemala *Honduras* *Nicaragua* *Peru* *Philippines* *Uruguay*
Haiti *Mexico* *Panama* *Paraguay* *United States* *Venezuela*



Celebrate Two Decades of Broadcasting

RCA Pledges Facilities for U. S. Defense

SALUTING the broadcasters on their 20th birthday, the Radio Corporation of America, now in its 21st year, has enlisted all of its resources and services in the first line of national defense. American owned and American controlled, RCA has been safeguarding American preeminence in all fields of radio.



David Sarnoff
RCA President

Comprehensive research, manufacturing, communication, and broadcasting facilities, together with highly trained and experienced personnel, are geared for immediate and complete cooperation with the Federal Government in its efforts to prepare the country to meet any threat from across the seas.

Organized in the autumn of 1919, just a year earlier than the beginning of broadcasting, the aim of RCA was the establishment of an adequate and reliable system of international and marine radio communication, independent of foreign interests.

Radio now is a billion-dollar-a-year industry employing some 400,000 persons, whose annual payroll is in excess of $500,000,000. RCA has contributed immeasurably to the creation of this vast enterprise. It foresees for itself in the future an ever-widening opportunity.

When RCA was formed, there were among the company's personnel men of aggressive vision. One of these was David Sarnoff, now president of RCA. As early as 1916, Sarnoff recommended the development of a "Radio Music Box" for the home, by means of which music, lectures and news could be given to the masses.

It was only natural, then, with the popular advent of radio broadcasting in 1920, that RCA should pioneer in the new art's development. Meanwhile, the company's activities in the radio communications field were of steadily increasing importance and in later years it became necessary to set up separate subsidiary operating companies. These are R. C. A. Communications, Inc., and Radiomarine Corporation of America.

In 1926, RCA founded the National Broadcasting Co. and inaugurated a regular program service for the public over a network of stations. Commercial sponsorship of programs was introduced. Thus, the "American system" of broadcasting was created.

In 1929, RCA expanded further by purchasing the old Victor Talking Machine Co. and entering the radio manufacturing field in its own right.

In its present vast organization, which this year totals more than 27,000 employes, RCA created the world's largest and best staffed radio research laboratories. From these laboratories have come many important new discoveries. It was RCA laboratory work that was largely responsible for the introduction by NBC in 1939 of this country's first regular public television program service. Another RCA laboratory product, rapidly approaching the stage of practical use, is facsimile broadcasting.

These things are but physical evidence in the fulfillment of practical scientific dreams. The worth of Sarnoff's "Radio Music Box" idea in 1916 is amply demonstrated today.

Next Television Problem Is Fixing of Standards

The ability of the television industry committee, the National Television Systems Committee, to agree upon standards for the new medium and to present a plan for development to the FCC, is generally regarded as the crux of the present uncertain situation for radio's next move—the addition of sight to sound. The commission has fixed Jan. 27 as the date when it will hear the report of the NTSC.

From the discovery of selenium in 1817 to the development of the photoelectric cell in 1890, much of the research which today forms the basis for television was done. However, the first moving image transmission over wires did not come until 1906, when a system was developed by two Frenchmen, Rignoux and Fournier. In 1907 the cathode ray tube for television was proposed and television by radio in the form of a drawing was developed in 1909.

The Iconoscope, or camera, was patented in 1923 by Dr. Vladimir K. Zworykin, and two years later Baird, in England, and Jenkins, in Washington, transmitted pictures by wire. In 1928 RCA, General Electric and Westinghouse coordinated their television experiments with RCA setting up a transmitter. The next year, the kinescope, or receiver, was patented.

Television programs actually took shape in England, although they were halted by the war. Experimentation here continued, however, and on April 30, 1939, NBC set up a regular daily program service in New York. Don Lee also started a regular program series in Los Angeles.

Early this year, television was granted a limited commercial license by the FCC but this was revoked several months later on the ground that the new medium was not yet ready. In the Spring, the FCC gave the Number One television channel to FM, and the progress of television was temporarily halted while the various stations shifted to the new frequencies.

WHN Affiliate of Loew's

WHN aired its first broadcast in March, 1922, and established itself as one of the oldest stations in New York. For 10 years the Loew station was, for all purposes, a non-commercial outlet broadcasting programs for the publicity value they gave to Loew theatres and Metro-Goldwyn-Mayer pictures. In the early days WHN shared the spotlight with WJZ and WOR and just before the advent of the Radio Commission, the station had to share time with WPAP and WQAQ.

Ten years after its opening, in 1932, Loew's decided to exploit the commercial advantages of WHN because of the large listening audience the station enjoyed. Major Bowes was appointed head of the station and when he moved to the networks with the "Amateur Hour," Louis K. Sidney, executive of Loew's Theatres, stepped into the picture in the Spring of 1935. The following year Herbert L. Pettey, who was then secretary of the Federal Communications Commission, resigned that post to join Sidney as associate director.

The station forged ahead commercially, the power was increased from 500 to 5,000 watts, a new transmitter was built in Astoria—and a new kind of entertainment was greeting WHN's listeners. As more advertisers were added to the WHN roster, things began happening with even greater speed.

Don Albert, leader of the Capitol Theatre's orchestra, took over the post of musical head of the station. Jay C. Flippen came over to take the helm of the "Amateur Hour," Loew's Theatres in the metropolitan area were being used for the presentation of shows, the WHN Movie Club brought screen stars to the air, and WHN organized its own stock company—many of whose members are network stars today.

Pettey became director of the station in 1938, succeeding Sidney, who went to the Coast for M-G-M. WHN gained the spotlight that year by broadcasting programs simultaneously with the networks when advertisers realized the value of using WHN as an extra outlet in the New York area.

George Combs, Jr., a former Congressman, was added to the station's staff. WHN increased its staff last year by adding Bert Lebhar, Jr., to handle sales and Ira Herbert as assistant. A sales promotion department was a new addition. A sports editor was a new innovation, and today WHN has six major sports commentators.

Vast Field of Expansion Is Open to Radio

By EDWARD GRIEF

TWENTY years of regular broadcasting have wrought changes in the entertainment, political and advertising habits of the nation. As radio enters its second score of years, the industry stands on the brink of still vaster fields with television and frequency modulation making their bid.

It is a far cry today from the early years of radio when broadcasters eargerly accepted program material from any commercial interest without charge just to fill up the scheduled program hours.

Radio dates from 1920 by universal consent, because that is the year that regularly scheduled programs started. Although there are several conflicting claims to "first," it is known that at least 13 stations, now in existence, were on the air in 1920. These, listed alphabetically according to cities, included: KOB, Albuquerque; WRR, Dallas; KLZ, Denver; WWJ, Detroit; WHA, Madison, Wis.; WCAL, Northfield, Minn.; WKY, Oklahoma City; KDKA. Pittsburgh; KQV, Pittsburgh; KQW, San Jose; KHQ, Spokane; WDZ, Tuscola, Ill., and WBAA, West Lafayette, Ind.

The Harding election returns that year and the Dempsey-Carpentier fight in 1921 did much to popularize the new medium. In 1923, WEAF, New York, was linked by telephone wire to WNAC, Boston, for the first network broadcast and several months later, WEAF, WGY, Shenectady; KDKA, and KYW, Chicago, were hooked up.

The introduction that year of the superheterodyne circuit took radio out of the headphone class, although it was still common for listeners to ask local stations to go off the air so that they could get the DX stations. In 1924, both political conventions were broadcast and 24 stations were hooked up for the Coolidge inaugural in 1925. The adaptation of alternating current for radio use in 1925 also was a major advance.

NBC was organized in 1926 and CBS in 1927. Policing of the air began seriously in 1927 with the organization of the Federal Radio Commission.

In 1932, radio proved that it could be a decisive factor in political campaigns and the epoch-making personal reports of a President to his people began with the "Fireside Chats" in 1933. The Federal Communications Commission came into being in 1934, as did Mutual. The adoption of an industry code came in 1939 and the outbreak of war in Europe found radio already established as an unsurpassed medium for delivery of spot news.

Again in 1940, radio was important in political affairs and election results became known to the world within a few hours after polls closed.



...and so a Great New Service was born

Twenty years ago, in scattered U. S. homes, men and women glued themselves to earphones as the first scheduled radio broadcast in the nation's history was made.

And so, with Station KDKA's transmission of the Harding-Cox election returns of 1920, a great new service was born. A service that today is one of the most important phases of modern life. A service that disintegrates time and space to bring millions and millions of families the newest in news, the most desirable in education, the finest in entertainment.

In two fleeting decades radio broadcasting has made admirable forward strides. And to this end, the National Broadcasting Company has made many outstanding contributions. That is why we look back on the first 20 years of broadcasting achievement with pardonable pride.

National Broadcasting Company

The World's Greatest Broadcasting System
A Radio Corporation of America Service

Networks Leaders in Radio Industry

NBC Started In 1926 With Only 18 Units

By NILES TRAMMELL
President of NBC

DURING the past year radio broadcasting celebrated its 20th anniversary as a public service medium. Broadcasting, as we know it today, is generally considered to have begun in 1920. One of the highlights of that historic year was the broadcast of the Harding-Cox presidential election returns which were heard by the fortunate few who owned receiving sets.



Niles Trammell

Between that historic year and the 1940 election, which witnessed the most complete radio coverage of any event in history, there stretches a period of technical development, business growth and development of a social idea unparalleled in the annals of American industry.

The history of radio is largely the story of organization and the orderly division of duties and responsibilities inherent in the development of one of the most powerful media on earth. The 1920 election returns constituted an important early step in public broadcasting, but the miracle of radio did not become a national reality until its scope of service was permanently enlarged by the formation of the first radio network by the National Broadcasting Company in 1926.

Beginning with a group of 18 stations, this first radio organization rapidly increased its physical structure, enlarged and enriched the number and variety of its programs until in 1940 it is augmenting the local service of over 200 independent associated stations with the best radio entertainment and information in the world.

The history of radio is also the history of private enterprise in the field of public service. The medium which yesterday was but a whisper in an unexplored land, today speaks with a clear voice to the world. American broadcasting was able to achieve its wide scope of influence largely through the support of commercial advertising. Thus developed, it is not only one of the most effective sales media in this country, but simultaneously has become a great medium for the dissemination of public information and entertainment without cost to its millions of listeners. This is in contrast to some countries where taxes are assessed against each receiving set to defray expenses.

Continuing the tradition of American enterprise, radio has not limited its activities to this nation alone. The

(Continued on page 14)

Frequency Modulation

WITH 40 channels assigned to frequency modulation by the FCC last Spring, and commercial operation of FM stations scheduled to start Jan. 1, the new method of transmission is expected to open new fields for broadcasters in the previously limited number of channels available. More than 200 organizations have indicated their interest in FM and almost a score of manufacturers have either started, or are prepared to start production of FM receivers, according to FM Broadcasters, Inc.

Shortly after his graduation from Columbia University, in 1914, Major Edwin H. Armstrong started work on his new method of noiseless FM transmission. In 1935, he set up a demonstration transmitter and receiver in cooperation with RCA, but later built his own transmitter at Alpine, N. J.

Expansion of Mutual Was Rapid in Six-Year History

By FRED WEBER
Mutual General Manager

IN THE two decades since its coming of age, radio has grown from a young, aggressive industry to a great, permanent institution. Although the stations, networks and set manufacturers contributed largely to this progress, I think a large share of the credit must go to the listeners. They have insisted on a wide and varied fare. And at their disposal, in most places, are three major networks and a number of local stations.



Alfred McCosker
Mutual President

As the business of broadcasting grew out of the crystal set short pants, it soon found out that just the novelty of bringing voices mysteriously out of the ether and into John Smith's parlor was not enough. The public soon wearies of novelties, demands something more substantial. Motion picture people have experienced the same realization—first with the early nickelodeons, and then with the talkies.

Bearing this thought in mind, four strong independent radio stations joined together six years ago to form a new network unlike those already in existence. They called it the Mutual Broadcasting System and its purpose was best expressed at an early executive meeting in 1935 when one of its officials stated

"Mutual was formed with the view of giving the nation an additional channel of air entertainment. The network is cooperative, the stations operating the network service rather than the chain running the station. The individual stations themselves chose to remain independent so that each might do the job in its community as it saw best."

In 1935 listeners heard the World Series and two of today's top baseball announcers, Red Barber and Bob Elson. The following year a similar additional service was performed when the young network not only covered the two political conventions but stayed on the air longer at each convention than any other network.

By 1936 the network went coast to coast and announced it had 36 affiliates.

The network grew rapidly but the original policy was never forgotten. In 1937, 34.6 per cent of the Mutual programs originated outside New York and Chicago. Also a lot of new shows and personalities that could find no room on other chains, were first developed on Mutual ("Hobby Lobby," Raymond Gram Swing, "Kay Kyser's College of Musical Knowledge," Wythe Williams, "The Lone Ranger," "Musical Steelmakers"). This was partly due to the fact that many sponsors with bright new shows but without maximum nationwide distribution, could go on Mutual and buy as few or as many stations as they desired.

The creation of the cooperatively sponsored program was first introduced on Mutual in 1936. Local sponsors were afforded the opportunity of buying major league programs.

Mutual introduced the recording and rebroadcasting of "news in English" from official European government stations. Mutual also won plaudits when it adopted a policy of rebroadcasting important talks and events at a time when a majority of the nation's listeners could be at their loudspeakers.

Mutual was the first network to present a regular series of commentaries from the nation's capital (Fulton Lewis, Jr.) and it was aggressive, newshawk Lewis who successfully waged a one-man campaign to get equal radio rights in the House of Representatives, Senate, and White House along with the fourth estate.

Mutual now has 162 affiliates in the U. S., Canada, Hawaii and Alaska. Mutual's billings for the first 10 months of 1940 are 32.7 per cent over a similar period in 1939.

Mutual's acquisition of a series of concerts by the Philadelphia Orchestra, the Chicago Symphony and the Chicago Opera have given it the strongest lineup of serious music in its history.

CBS Net Has 122 Stations In 121 Cities

EVER since its first broadcast in September, 1927, the Columbia Broadcasting System has made swift progress in three directions—programming, transmitting and advertising acceptance.

Columbia's entrance into the radio world was timed strategically: the first three years of the network's life were the years in which radio stopped faltering and firmly "took hold" of the people of the United States.



W. S. Paley
CBS President

Starting in 1927 with 16 important stations east of the Mississippi, CBS recruited new stations vigorously until by 1930 it was the largest network in the world, serving every major market from coast to coast in the U. S. and Canada.

The chain at the present time, with 122 stations in 121 cities, is the largest regular network in the world and leads all the others in hours of time sold and in gross billings.

Columbia's distinctions, however, do not start with its preeminence as a business organization. The network's stations are by and large the best equipped in the country, and CBS has more 50,000-watt stations than any other network. Improvements in transmitters, and rebuildings, proceed at a fast clip and every month bring better and more comprehensive coverage. CBS has been able to state as a fact that the work of its station and network engineers has "shrunk space" until virtually the entire country is in Columbia's primary listening area.

In television, Columbia had been at work quietly for some time, with no publicity or fanfare, when in the Fall of 1940 Dr. Peter Goldmark and his staff cracked the most exciting of all television problems—putting color on the air-waves.

CBS programming has been ready at all times for innovation, and it is the luck of the trail-blazer that many of the new CBS ideas clicked with the public. Broadcasting has certainly been made more solid, more progressive, through such Columbia series as "The Columbia Workshop," "The Pursuit of Happiness" and the famous Summer, 1940 "Forecast" series. Columbia's day-to-day sustaining schedule has become of enduring value to America — with such programs as "American School of the Air," "Church of the Air," the New York Philharmonic - Symphony concerts, "Invitation to Learning" and "The

(Continued on page 14)

"GOSH, SEEMS I TAKE TOP HONORS IN RADIO, TOO!"



"How was I to realize when that radio station of mine started back there in 1922 that it was going to make me world-famous as a broadcaster, too?

"WHN, following my great Loew-MGM reputation for Showmanship, has developed hit radio shows one right after another—to have them quickly snatched up by networks and advertisers.

"Look how my station leads in news and sports, for instance—with twelve United Press News broadcasts a day, with such brilliant sports features as the hockey games from Madison Square Garden, the Giants' pro football games, Clem McCarthy as the Old Gold Sports Reporter, and a regular line-up of six exclusive sports announcers.

"But what impresses me most about my WHN is the way advertisers swear by it. Approximately two hundred accounts on the 1940 books include most of the biggest advertisers in radio. They like the way this 'one-station network' of mine influences 14% of the whole nation's buying power that's concentrated in the WHN primary area."

(*Signed*) LEO

WHN

Affiliated with Loew's Theatres and Metro-Goldwyn-Mayer Pictures

NEW YORK CITY

1540 BROADWAY
BRYANT 9-7800

Chicago Office: **360 North Michigan**

122 CBS Stations In 121 Communities

(*Continued from page 12*)

People's Platform." All along CBS programmers have realized that listening standards must be raised, and Columbia has raised them even when it took daring innovations to do so.

But the network has not lost itself in the blue sky of experimental broadcasting. Columbia's volume of business has mounted steadily, breaking and rebreaking records every year, until now late in 1940 CBS is beating its own 1939 billings record by more than 20 per cent. CBS's vitality reflects its preeminence in commanding a large, loyal audience. When all the networks put on similar programs, CBS is frequently found to have the largest share of listeners (as for instance on Election Night when 54 per cent of listeners quizzed in 18 American cities heard returns over CBS, and 34.9 per cent over the next highest network, according to a survey).

For the future the CBS plans are clear. The network and its officers intend to continue the fundamental policies which have carried CBS through 13 years of successful broadcasting. They realize that radio has in many ways become America's biggest single cultural force, and with a grave sense of responsibility are determined to make it a force for all that is best in American life.

Off the Antenna

Greetings to radio on its 20th anniversary.

• • •

W2XBS, NBC television station, having conducted a series of tests for the National Television Systems Committee, will shut down from Dec. 4 to 11 to put its equipment back into shape. On Dec. 11, "Two Gun Justice," a film with Tim McCoy and Joan Barclay will be televised. Wrestling will be shown Friday, Dec. 13, and a double-header college basketball game the following night.

• • •

Purely Personal: *Victor M. Ratner, CBS director of sales promotion, is in the New York Hospital with a throat ailment . . . Bernice Judis, WNEW managing director, celebrates a birthday Sunday . . . Max Wylie's book, "Best Broadcasts of* 1939-40," *will make its appearance on Monday . . . Blevins Davis, NBC supervisor of educational programs, will preside at the convention of the American Education Theatre Association and National Teachers of Speech in Washington, Dec.* 31 . . . *Frank Jaffe has been named promotion manager of WIOD, Miami.*

• • •

Representatives of Frank Hummert yesterday revealed that the agency executive has talked to several persons on both sides of the broadcasters' fight with Ascap in the last few days and that the situation remains unchanged without any prospect of its being altered in the immediate future.

• • •

Program News: *Kate Smith brings her show back to New York Friday . . . Three major boxing bouts will be broadcast by Adam Hats within eight days over NBC-Blue, beginning with the Overlin-Belloise fight Friday, Dec.* 13 . . . *Roxy Theatre has bought* 13 *announcements for "Tin Pan Alley" over WHN . . . Dorothy Thompson's show over Mutual has been renewed for* 13 *weeks effective Sunday, Jan.* 5 . . . *Continental Baking Co. has renewed "Marriage Club" over* 47 *CBS stations, Ironized Yeast has renewed "Court of Missing Heirs" over* 72 *CBS stations, and Quaker Oats has renewed "Girl Alone" over* 41 *NBC-Red stations . . . Olsen & Johnson, Ed Wynn, Al Jolson, Ozzie Nelson, Harriet Hilliard, Red Skelton, Belle Baker and Mary Small will help Alan Courtney inaugurate his new all-night show over WMCA, Sunday.*

NBC Started in '26 With Only 18 Units

(*Continued from page 12*)

National Broadcasting Company, in the characteristic role of pioneer, established its International Division in 1937 and today transmits special programs to every corner of the globe. The company's 18-hour-a-day schedule of programs to the other Americas is calculated to do much to speed the development of Pan-American solidarity and foster American aims, and way of life—an area of activity toward which all of the United States today is directing its attention.

The story of radio has just begun. Twenty years is but a small segment of time—hardly large enough in which to grasp the entire scope and meaning of such an extraordinary phenomenon as radio. In these few words only the broadest pattern of the events that have so far transpired can be traced. Another year is upon us. With democracy threatened as it is today, there is much work for all of us if we are to preserve our free institutions. Radio, as one of the great media of public enlightenment, is still dedicated to the task so ably set forth in the original announcement made on the formation of NBC in 1927: to make radio "an instrument of great public service."

Add 23 Stations

American Tobacco Co. will add 23 stations on NBC-Red for the "Information, Please" hookup on Jan. 3.



Programs of Social Import WMCA Policy

THE year 1940, as far as WMCA is concerned, will stand out as a landmark in the growing importance of public affairs in radio programming. No longer can it be said that entertainment consists entirely of gags. Programs of social service and those which recognize the free discussion of vital world problems are as much a part of good entertainment as any veriety performance.

It also can be stated at this point that this changing trend in program standards was recognized by WMCA early in 1940 and adopted a program policy accordingly.

Outstanding among these programs, which seek to demonstrate democracy in action on the one hand and entertain invisible audiences on the other, is WMCA's "Labor Arbitration." Guest arbitrators are recruited from labor and industry and their decisions are binding beyond review of the courts. The employment status of thousands of workers was settled by this group in 1940.

Another program of great social importance is WMCA's "Friendship Bridge" designed to give moral encouragement to the British people under bombardment. Short-waved by WRUL, this program presents English evacuated children and noted Americans speaking overseas. Still another noteworthy contribution to New York radio is WMCA's "Trojan Horse" series, on the activities of fifth culumnists.

Operations Began in 1925

A pioneer New York station, WMCA started in February, 1925, and has always been known as a station of "firsts." It was the first to have stock market reports, drama critics, Sunday variety shows, and others. It originated the "Original Good Will Hour" and people like Rudy Vallee, Gabriel Heater, Ozzie Nelson and others were heard of first on WMCA.

In recent months two other factors are worthy of attention regarding WMCA. One is the recently completed transmitter at Kearny, N. J., and the other, its announcement of a 24-hour operating schedule to begin Dec. 1.

Dec. 31 Deadline in Ascap-Radio Fight

Dec. 31 is the deadline in the current struggle between radio and Ascap. Broadcasters, through the newly created Broadcast Music, Inc., seek to obtain a free market in which to purchase music rights. Ascap, on the other hand, claims that the sale of music on a per-performance basis would require an expensive policing agency and demands the right to collect royalties based on the total income of broadcasters.

F. C. C. Grants Permits for 2 Broadcasting Stations

WASHINGTON, Nov. 27.—The Federal Communications Commission has granted construction permits to the Tropical Broadcasting Co. for a new 1,310-kilocycle, 250-watt station at DeLand, Fla., and Community Broadcasting, Inc., for a 1,370-kilocycle, 100-watt station at Wheeling, W. Va.

The commission also authorized Stations WMT, Cedar Rapids, Ia., and WREC, Memphis, to increase night power from 1,000 to 5,000 watts; WAIR, Winston-Salem, N. C., to change frequency from 1,250 to 1,310 kilocycles and extend time from day to unlimited; WSJS, Winston-Salem, N. C., to change frequency from 1,310 to 600 kilocycles and increase power from 250 to 1,000 watts; KROD, El Paso, Tex., to change frequency from 1,500 to 600 kilocycles and increase power from 250 watts to 500 watts night, 1,000 watts day, and WCOP, Boston, from day to unlimited.

A number of applications were set for hearings on dates to be announced later, including those of Symons Broadcasting Co. for a new 1,110-kilocycle, 1,000-watt station at Ellensburg, Wash.; J. C. Kaynor for a 1,310-kilocycle, 250-watt station at Ellensburg, Wash.; Mosby's, Inc., for an 1,110-kilocycle station at Anaconda, Mont., with 500 watts night, 1,000 watts day; Park Cities Broadcasting Corp. for a 940-kilocycle, 500-watt station at Dallas; Station KRBC, Abilene, Tex., for change of frequency from 1,420 to 940 kilocycles and increase of power from 250 to 1,000 watts; KMBS, Kansas City, Mo., for change of frequency from 950 to 690 kilocycles and increase of power from 5,000 to 50,000 watts, and KFJI, Klamath Falls, Ore., for change of frequency from 1,210 to 600 kilocycles and increase of power from 100 watts to 500 watts night, 1,000 watts day.

NAB Was Formed For Radio in 1922

Called together for the first time by Secretary of Commerce Herbert Hoover in 1922, the broadcasters formed the National Association of Broadcasters shortly thereafter. The first convention was held in Chicago in 1923 and Eugene F. McDonald, Jr., was elected first president.

A special convention in 1937 decided to reorganize the N.A.B. generally and a full-time, paid president was agreed upon. Mark Ethridge served as president for a brief period thereafter and was followed by Neville Miller who took office in the middle of 1938 and still continues as head of the N.A.B.

McDonald, who held office until 1925, was followed by Frank W. Elliot, Earle C. Anthony, William S. Hedges, Walter J. Damm, Harry Shaw, J. Truman Ward, Alfred J. McCosker, Leo Fitzpatrick, Charles W. Myers, John Elmer, Ethridge and Miller.

What a third network could mean to American listeners and to independent radio stations has never been more clearly illustrated than in the announcement of the Mutual Broadcasting System that this station-operated network will bring to the listening audiences of the United States and Canada, and to the rest of the world by short wave, the regular Friday afternoon concerts of the Philadelphia Orchestra, to begin November 8, under the batons of Leopold Stokowski and Eugene Ormandy. The Mutual program schedule will be further distinguished this year by the regular Monday evening broadcasts of the Chicago Opera Company, which will bring to the air a brilliant roster of artists, among them Lily Pons, John Charles Thomas, Giovanni Martinelli, Tito Schipa and Helen Jepson, and by the presentation, on Thursday evenings, of the Chicago Symphony conducted by Dr. Frederick Stock. We are particularly proud to announce these programs at a time when culture is so largely the responsibility of radio.

MUTUAL BROADCASTING SYSTEM

Short Wave Plays Vital Defense Role

International short wave stations will play a major part in the national defense program by promoting better cultural relations among the American republics. In 1940 two big steps forward were taken for short wave. The decision of the FCC to permit commercial programs and the grant of power increases to 50,000 watts point the way to a growing influence of these stations. Of the 13 short wave stations now on the air, only the two NBC outlets have adopted commercialization.

Newspapers Own 300 Radio Outlets

Approximately three-eighths, or about 300 stations, of the nation's commercial broadcasting outlets, are owned partially or completely by newspaper publishers. Although the question of such ownership has frequently been discussed in Congress, the number of such stations has been on the increase, especially during the past two years.

Although newspapers generally decided to bury the hatchet with radio and adopted a policy of cooperation at the Association of Newspaper Publishers of America convention in 1936, the feud still continues in many localities. The decision of the Associated Press directors in the Spring of this year to make AP news available for sponsorship brought the last of the major news services into the radio fold.

WNEW Combination Of Two N. J. Stations

WNEW went into operation on Feb. 13, 1934, nearly seven years ago, when President Franklin D. Roosevelt pressed a button at Carlstadt, N. J., at the site of the WNEW transmitter.

Born out of a union of WODA in Paterson, N. J., and WAAM, in Newark, N. J., WNEW first began broadcasting to an indeterminate number of listeners. Six years later, some independent surveys show that WNEW ranks at the top of the independent station list in number of listeners. Bernice Judis has been managing director of the station since its inception.

W3XE to Televise Philadelphia Sports

PHILADELPHIA, Nov. 27.—W3XE, Philco television station, has made arrangement with the Arena, local sports center, to pick up ice hockey games, the "Ice Follies of 1941," and a roller skating derby. Negotiations are also under way for permission to televise wrestling and boxing bouts staged there by outside promoters.

'Winged Victory' to W. B.

HOLLYWOOD, Nov. 27. — Warners have purchased "Winged Victory," play by A. J. Cronin.

Short Subject Reviews

"Landing of the Pilgrims"

(*20th Century-Fox*)

Produced in color by Paul Terry, this cartoon burlesques the arrival of the *Mayflower* with laughable results. Upon landing the Pilgrims encounter Indian merchants, sow seed for crops and then undertake to celebrate Thanksgiving. Running time, 7 mins.

"Old Dominion State"

(*20th Century-Fox*)

Inspiring historical landmarks in Virginia are toured with the color camera and the result is an impressive travelogue. The homes of Washington, Jefferson, Lee and others, the Blue Ridge Mountains, Yorktown, Williamsburg and other points of interest are shown. The reel also pictures vacationers at Virginia Beach. Running time, 10 mins.

"Plane Goofy"

(*20th Century-Fox*)

Having sold airplanes to all the barnyard animals, a salesman tries to interest the farmer in his product. Curious, the farmer gets into the plane and following the directions heard over a phonograph, makes a hectic flight. The cartoon, produced by Paul Terry, is mildly amusing. Running time, 7 mins.

"Lure of the Trout"

(*20th Century-Fox*)

Trout fishing is the subject of this short and it is splendidly filmed in color. The proper handling of rod and reel is illustrated in contrast to the awkward casting and reeling of the novice. The latter is personified by Ed Thorgersen, who also does the commentary. Running time, 9 mins.

"Wacky Wildlife"

(*Vitaphone*)

This is a "Merrie Melody" cartoon in color which burlesques traits and habits of well known wild animals. The color definitely enhances this typical Schlesinger subject and its comic touches make it a completely entertaining reel. Running time, 7 mins.

"The Magic Pencil"

(*20th Century-Fox*)

This as a Paul Terry cartoon in which the chief characters, a goose and a cat, create others simply by wielding a magic pencil obtained from a radio announcer for a number of box tops. It is average cartoon fare. Running time, 7 mins.

"Knock, Knock"

(*Universal*)

Andy Panda and Papa Panda are disturbed by the pecking of a zany woodpecker. The pursuit of the bird is then the main concern of the cartoon. Their efforts are unsuccessful and not too funny. Running time, 7 mins.

"Sour Puss"

(*Vitaphone*)

This Leon Schlesinger "Looney Tune" takes Porky and his enthusiastic cat on an eventful if unprofitable fishing expedition. The cartoon is up to the usual standard of these subjects. Runing time, 7 mins.

Sunday Films Endorsed

HALIFAX, N. S., Nov. 27.—The City Council has passed a motion favoring the operation of all local picture theatres on Sundays. This is the first time in the history of the eastern provinces that a city council has formally endorsed Sunday picture shows.

Seek Sunday Recount

WILLIAMSPORT, Pa., Nov. 27.—Learning that the Sunday film issue was defeated by only 75 votes, members of the motion picture operators' union here began circulating a petition asking for an official recount of the city's vote.

Sanders Suspended

HOLLYWOOD, Nov. 27.—George Sanders has been suspended by 20th Century-Fox for refusing to appear in "Uncensored," and John Loder was substituted. Sanders has been under contract to the studio for the last two years.

Playwright Sues W. B.

Thomas Carlton Upham, playwright, has brought suit in Federal district court here against Warners charging plagiarism of his play, "Lost Boy," in the film, "Mayor of Hell." The play was produced here in 1932.

Theatre Changes

Warners Renovate Theatre

NEW HAVEN, Nov. 27.—Warners will close the 1,340-seat State, South Manchester, Conn., Dec. 16 to 24 for completion of the current renovation job, which is to include new lobby, marquee, lighting, carpets, and redecoration.

New Circuit Incorporated

ALBANY, Nov. 27.—The Circle Circuit, Inc., has been incorporated here by Solomon Kleinman, Bernard Shapiro and Louis I. Shapiro, New York.

Plans Connecticut House

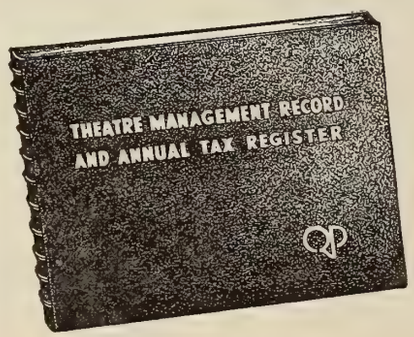
BRISTOL, Conn., Nov. 27.—Joseph Faith, operator of theatres in Terryville, Unionville, and Collinsville, Conn., is planning to convert the Red Men's Hall here into a 700-seat theatre.

Reopen New Haven House

NEW HAVEN, Nov. 27.—The Cannon Theatre has reopened here. The 700-seat neighborhood house has been completely renovated. John Cannon and John Cannon, Jr., are the operators.

Iowa Theatre Reopened

DAYTON, Ia., Nov. 27. — H. G. Moore of Des Moines has redecorated and installed new equipment in the Roval Theatre here and reopened it.



SPECIAL INTRODUCTORY PRICE

$2.00 POSTPAID

Keep Your Accounts Easily, Accurately!

NEW SIMPLIFIED THEATRE BOOKKEEPING SYSTEM!

■ Exhibitors, ***The Theatre Management Record and Annual Tax Register*** has been devised expressly for you. So utterly simple, it requires no bookkeeping experience; it includes individual sections for all operating data and is designed so that full tax information is always readily available. You will have a complete up-to-the-minute record of your business always before you with this amazing new self-operating system. Order it today.

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER NEW YORK

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 106 NEW YORK, U.S.A., FRIDAY, NOVEMBER 29, 1940 TEN CENTS

Television Network Need Seen by NBC

Plans Are Going Ahead, Says Frank Mullen

NBC is primarily interested in network rather than local station television, and is directing its efforts to that goal, despite present difficulties, said Frank Mullen, NBC vice-president and general manager, in a press conference yesterday.



Frank Mullen

"Television will not get anywhere without national syndication," he asserted. "Television, ultimately, is network, not local. Our ambition is national television." The expense of program production makes a network essential, Mullen said.

Mullen declined to set a date when network television would be a reality but declared that NBC was proceeding with plans to link New York, Philadelphia and Washington. A transmitter site has already been selected

(*Continued on page 6*)

RCA to Show Big Screen Television

Large screen television, this time with a 9 by 12-foot screen, will be demonstrated by RCA sometime within the next four weeks at the New Yorker Theatre, 53rd St., off Broadway, Alfred H. Morton, NBC vice-president in charge of television disclosed yesterday.

Morton said that little has been done to determine whether television for theatre would be broadcast through the air on frequencies which home receivers could not get or by means of special telephone wires. The matter is under consideration, however, and the Bell Telephone Co. is cooperating in the experiments which use wires.

Northwest Allied in Drive To Increase Attendance

Additional Playing Time For Big Pictures Is A Major Factor

MINNEAPOLIS, Nov. 28.—Northwest Allied has organized an intensive campaign among its members which is designed to increase theatre attendance in the territory and to combat increased competition with the theatre for the public's entertainment dollar. Increased playing time for outstanding attractions will play a major part in the exhibitors' drive for more business.

The drive will be marked by extensive use by member theatres of valances, institutional trailers, bannerettes featuring special attractions and the distribution of lapel badges. Special window cards and frames and newspaper and mailing campaigns also are planned.

The general plan of the drive is to provide greater emphasis and exploitation for the better pictures through publicity and extended playing time, which will be provided them. The campaign to increase theatre attendance and interest on the part of the public in motion pictures will be one

(*Continued on page 6*)

Weather, Shopping Cut B'way Grosses; 'Tin Pan Alley' Big

Earlier Christmas shopping due, in part, to the advance of the Thanksgiving date, caused a dip in Broadway grosses, managers reported yesterday. Cold weather and intermittent rain also interfered with the take. Matinee business was down sharply during the past four days.

"Tin Pan Alley," with a stage show, however, proved a big draw at the Roxy where it garnered an estimated $59,000 for the first week and is held over. At the Music Hall, "Bitter Sweet" with a stage show grossed an estimated $89,000 and is also held.

Originally booked for two weeks at the Strand, "The Letter" with Ozzie Nelson's band on the stage will go an additional week. Gross at the Strand for the first week which ended yesterday was an estimated $43,000. "A Dispatch From Reuter's" will follow "The Letter" on Dec. 13.

"The Lady With Red Hair" will open at the Palace next Thursday.

See Improved Relations Within Argentine Trade

BUENOS AIRES, Nov. 28.—Improved exhibition conditions and trade relations between exhibitors and distributors is expected to result from a series of meetings between representatives of American film companies and an exhibitor committee which have been held here during recent weeks.

Indications are that the proposals approved at the meetings will be drawn up and submitted soon to the Exhibitors Association and to all American distributors for approval. The proposals are expected to include methods of increasing public interest in films and attendance at theatres, and some form of regulation of multi-featuring. Some theatres show as many as five features on a single program.

A 40 per cent increase in seating capacity in theatres in the Buenos Aires central district, which at the end of 1939 totaled 34,000 seats, is in

(*Continued on page 6*)

I. A. Men Ordered To Leave A. S. C.

HOLLYWOOD, Nov. 28.—Fears were felt today that the dispute between I.A.T.S.E. cameramen and the American Society of Cinematographers may take a serious turn, possibly a strike.

The situation became tense when the officers of Local 659 ordered members to withdraw from the A.S.C. upon threat of expulsion, while the studios continued to abide by their agreement calling for first cameramen to hold A.S.C. cards.

Although Herbert Aller, Local 659 representative, upon his return from conferences with George Browne, I.A.T.S.E. president, declared "dual unionism" would be fought, the studios have received no word from Browne direct regarding this.

U.S. Studies Decrees for Local Cases

Griffith and Crescent Suits Under Scrutiny

The Department of Justice will in the near future move to determine whether there is any likelihood of negotiating consent decree settlements of the Nashville and Oklahoma City anti-trust suits, according to present indications.

While the Government studies the situation to determine its course, the five companies which have consented to the New York decree will remain defendants in these local actions.

This was indicated when the companies' counsel were advised by Washington this week that the time for all defendants to file answers to Government interrogatories, which was to expire next Monday, will be extended.

The time for answering in the Oklahoma City case will be extended 30 days to Jan. 2, and the extension in the Nashville case will be for 60 days to Feb. 2. Presumably, the Government will first determine the possibilities of obtaining a decree in the Oklahoma City suit against the Griffith Amusement Co., and will follow with a similar study in the Nashville action against the Crescent circuit.

The Government's other pending action, that against the Schine circuit

(*Continued on page 6*)

Pathe Film 9-Month Net Profit $215,188

Net profit of $215,188 after all charges and provision for Federal taxes was reported yesterday by Pathe Film Corp. for the nine months ended Sept. 30 last.

The company's sole income was a dividend of $245,000 received on its 3,500 shares of Dupont Film Manufacturing Corp. common stock. Expenses for the nine months amounted to $17,706 and taxes amounted to $12,104.

Dupont Film Manufacturing Corp. had a net profit after all charges of $1,188,960 for the nine-month period, as compared with $1,244,229 for the corresponding 1939 period. According

(*Continued on page 6*)

Indiana ATO Hits Higher Admissions

INDIANAPOLIS, Nov. 28.—Resolutions opposing increased admissions and extended playing time for individual pictures and characterizing as "unfair" the "practice of all distributors in refusing to make available Class A product to theatres during the pre-Christmas and Lenten season," were adopted by Associated Theatre Owners of Indiana at its convention here this week.

The resolution on increased admissions stated that the practice is an "unwarranted interference with the operation of theatres and injures good will by destroying that consistency in operation policy to which the public is accustomed."

Maurice Rubin, former president of the organization and chairman of the resolutions committee, said the convention also had pledged support to the Allied Information Department and "individually resolved to cooperate with Allied in its program of gathering and disseminating information to independent exhibitors."

Bergman Will Join 20th-Fox Monday

Maurice A. Bergman concludes his association with Columbia today after four years as advertising and publicity director for the company. On Monday he will assume his new post at 20th Century-Fox as advertising manager under Charles E. McCarthy, director of advertising and publicity.

David Lipton, formerly in charge of studio publicity for Universal, who will succeed Bergman, is now familiarizing himself with Columbia studio affairs on the Coast and is scheduled to arrive in New York about Jan. 1 to take over his new post.

20th-Fox Sets Dividend

The board of directors of 20th Century-Fox Film Corp. yesterday declared a cash dividend of 37½ cents per share for the fourth quarter of 1940 on the outstanding preferred stock, payable Dec. 27 to stockholders of record Dec. 13.

W. B. Re-signs Blanke

HOLLYWOOD, Nov. 28.—Henry Blanke, who is completing his 13th year with Warners, has been signed to a new two-year contract as associate producer.

Lindy's INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

MAURICE SILVERSTONE, United Artists chief executive, and JAMES MULVEY, Samuel Goldwyn's Eastern representative, are scheduled to arrive here Monday from the Coast.

•

DAVID ROSE, Paramount managing director for England, will arrive from Europe today on the *Excambion*. The ship, originally scheduled to dock yesterday, was delayed. Rose plans to leave for the Coast tonight to spend a month with his family.

•

HAROLD ROME, Ascap representative in Boston, is in New York for a home office visit.

•

IKE LIBSON is in town from Cincinnati.

•

RUBE JACKTER, Columbia assistant sales manager, arrived from the Coast yesterday. ABE MONTAGUE is scheduled to return Monday.

•

JULIUS LAMM, manager of Warners' Uptown, Cleveland, and MRS. LAMM have announced the engagement of their daughter, THERESA FRANCES, to RICHARD J. BANDLER of Cleveland Heights.

•

HARRY BRYMAN, M-G-M manager in Montevideo, celebrates a birthday today.

AMBASSADOR JOSEPH P. KENNEDY plans to leave Monday for Palm Beach where he will remain for the Christmas and New Year holidays with his family.

•

ABE SCHNEIDER, RUBE JACKTER, HARRY BERNSTEIN and ARTHUR SILVERSTONE lunching at Lindy's (next to the Rivoli) yesterday.

•

HARRY GOLD, J. J. MILSTEIN, JACK GOETZ, KAY KAMEN and JOSEPH MOSKOWITZ having lunch yesterday at Lindy's (51st St.).

•

ERNEST EMERLING, ARTHUR LEE, HORTENSE SCHORR, CHARLES CURRAN, I. E. LOPERT, WILLIAM FITELSON and BERT MAYER at the Tavern yesterday for lunch.

•

JOSEPH BERNHARD, STANTON GRIFFIS, TOBY GRUEN, SAM SHAIN, HOWARD DIETZ, LOU WEINBERG, CHARLES MACARTHUR, LEON NETTER, RALPH AUSTRIAN, TOM CONNORS, MAX A. COHEN and RUSSEL HOLMAN lunching at Nick's Hunting Room in the Astor yesterday.

•

FRED SCHWARTZ, TED O'SHEA, DAVE BLUM, JOHN GOLDEN, FREDERIC LONSDALE, HY KRAFT, JEROME CHODOROV, JOSEPH FIELDS, JOHN D. HERTZ, JR., FRANK PHELPS, CLAYTON BOND, JACOB WILK, MARCUS HEIMAN and OTTO PREMINGER at Sardi's yesterday for lunch.

Blumberg Leaves For Coast Today

Nate J. Blumberg, Universal president, will leave for the Coast today to begin preparations for the company's annual production conferences.

J. Cheever Cowdin, Universal board chairman; W. A. Scully, vice-president and general sales manager, and Joseph H. Seidelman, vice-president and foreign manager, will leave here Dec. 13 to join in the studio conferences with Cliff Work, Matthew Fox, Milton Feld, John Joseph and other officials. The conferences will last a week or 10 days, with the home office contingent planning to be back in New York by Christmas.

Metro Executives To Chicago Meeting

T. J. Connors, Howard Dietz, Tyree Dillard and E. K. O'Shea of M-G-M will leave for Chicago today to attend the company's two-day national sales meeting at the Blackstone Hotel there, Saturday and Sunday.

E. W. Aaron and Alan F. Cummings left for Chicago last night to attend the meeting. All M-G-M district and branch managers will attend.

William F. Rodgers, general sales manager, will preside at the meeting, at which general release plans for "Gone With the Wind" will be determined, effects of the consent decree on the company's sales procedure will be studied and the progress of new season's selling to date will be reviewed. Sales plans for forthcoming product also will be discussed.

Jane Wyatt in 'Kissed'

HOLLYWOOD, Nov. 28.—Jane Wyatt has been signed by Warners for a leading part in "She Stayed Kissed."

Anderson, Industry Veteran, Dies Here

Richard V. ("Dick") Anderson, an industry veteran, died yesterday in his apartment at the Claridge Hotel here following an illness of several months. He was 53 years old on Wednesday. His wife, Ruth Anderson, survives him.

At the time of his death Anderson was in charge of physical distribution of RKO Pathe News. One of his earliest positions was as branch manager and booker for the old General Film Co. at Atlanta. He later became branch manager for Pathe there and then went to Charlotte where he was branch manager for Universal and Pathe. He came to New York as sales manager of International Newsreel, then became Southern district manager for Columbia. In 1932 he became head of the Universal newsreel department and subsequently resigned to join RKO Pathe News.

He was also editor of the *Pathe Sun* and of Warners' *Carry On*, both house organs.

Broidy Dinner Tuesday

BOSTON, Nov. 28.—The farewell dinner at the Copley-Plaza Hotel to be tendered Steve Broidy, New England Monogram sales representative who goes to the Coast in mid-December to become general sales manager, will be held Tuesday instead of Saturday, as previously reported.

Cohen Repub. Producer

HOLLYWOOD, Nov. 28.—Albert J. Cohen, Republic story editor, has been appointed a producer by M. J. Siegel, studio head. Maurice Hanline, assistant story editor, succeeds Cohen.

It's Here Again

Paramount News, News of the Day and Movietone News, in their weekend issues, offer their All-American football team selections for 1940, in accordance with their annual custom. The teams are chosen by the sports departments of each of the reels, following the study of many thousands of feet of newsreel film of major football games across the country.

Newsreel Parade

THE selections of All-American football teams by three of the five newsreels are the highlights of the reel's weekend issues for the multitude of sports fans around the country. Defense preparations on land, sea and air continue to capture considerable newsreel attention. Contents of the new issues:

MOVIETONE NEWS, No. 24—All-American football team selection. Blizzard in Chicago. New navy torpedo boats in New York. Coast artillery sails for Alaska. U. S. fire officials observe fire-fighting methods in England. Film studios in England operate despite the war. Hitch-hiking in England. Fashions.

NEWS OF THE DAY, No. 222—War sidelights in London. Draftees increase here. Topedo boat squadron in New York. Fashions. All-American football selection.

PARAMOUNT NEWS, No. 27—Coast artillery leaves for Alaska. Miami press agents herald the season. Labor situation crucial with strike at Vultee plant. Paramount News presents All-American team.

RKO PATHE NEWS, No. 27—Japs bomb Chinese points. New U. S. mosquito boat joins Navy. Hunt the end of Virginia cavern. Anti-aircraft troops leave for Alaska. Florida railroad brings school to ranchers. National basketball champions win opening game. Gridiron Giants beat Washington Redskins.

UNIVERSAL NEWSREEL, No. 932—Rush U. S. troops to Alaska. Ski troops train on Mt. Ranier. Two destroyers launched at Kearny, N. J. Navy tests mosquito boats. Screen stars in Coast Xmas parade. New York police and firemen play Santa. Basketball champions start with a victory. New York Football Giants beat Washington Redskins.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.



and the BIGGEST thing in SHORTS!

SUPERMAN

and it's Paramount's of course . . . one of Max Fleischer's "ANIMATED ANTICS"

Frisco Gives 'Dictator' Big $24,000 Draw

SAN FRANCISCO, Nov. 28.—Business hit high gear with "The Great Dictator," grossing $24,000 in the first week at the United Artists, and "Li'l Abner," aided by Orrin Tucker and Bonnie Baker on stage, taking in $19,000 at the Golden Gate.

Estimated takings for the week ending Nov. 19-22:

"Li'l Abner" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $19,000. (Average, $15,000)
"The Letter" (W. B.)
"Hit Parade of 1941" (Rep.)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $16,800. (Average, $16,000)
"Seven Sinners" (Univ.)
"Blondie Plays Cupid" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days. Gross: $7,800. (Average, $8,000)
"Escape" (M-G-M)
"Hullabaloo" (M-G-M)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $10,000. (Average, $11,500)
"The Great Dictator" (U. A.)
UNITED ARTISTS—(1,200) (75c-$1.10) 7 days. Gross: $24,000. (Average, $8,000)
"The Mark of Zorro" (20th-Fox)
"Dancing on a Dime" (Para.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $5,200. (Average, $6,000)
"North West Mounted Police" (Para.)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $16,500. (Average, $12,000)
"Madam Satan" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $800. (Average, $1,000)

'Zorro' St. Louis Best With $5,400

ST. LOUIS, Nov. 28.—"The Mark of Zorro," dualed with "Too Many Girls," at the Missouri in the second week, attracted $5,400. "Charter Pilot" and "Friendly Neighbors" took $3,200 at the St. Louis.

Estimated takings for the week ending Nov. 20:

"The Letter" (W. B.)
"Sandy Gets Her Man" (Univ.)
AMBASSADOR — (3,018) (28c-39c-44c-56c) 7 days. Gross: $10,500. (Average, $11,500)
"Little Nellie Kelly" (M-G-M)
"Kit Carson" (U. A.)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $12,000. (Average, $13,000)
"Tugboat Annie Sails Again" (W. B.)
"Glamour for Sale" (Col.)
FOX — (5,038) (28c-39c-44c-56c) 7 days. Johnny Perkins and six acts of vaudeville on stage. Gross: $9,500. (Average, $11,000)
"The Mark of Zorro" (20th-Fox)
"Too Many Girls" (RKO)
MISSOURI — (3,514) (28c-39c-44c-56c) 7 days, 2nd week. Gross: $5,400. (Average, $4,000)
"Charter Pilot" (20th-Fox)
"Friendly Neighbors" (Rep.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $3,200. (Average, $2,600)

Six-Week Mexican Theatre Strike Ends

MEXICO CITY, Nov. 28.—Intervention of Agustin Arroyo, chief of the Federal Labor Department, ended the six-week strike against the Cervantes Circuit of five subsequent run houses here. The exhibitors gave in to most of the demands for higher pay and other concessions.

The National Cinematographic Workers' Union sent Arroyo a telegram congratulating him upon his efforts in behalf of the strikers and in ending the strike.

Hollywood Review

"Dr. Kildare's Crisis"

(M-G-M)

HOLLYWOOD, Nov. 28.—M-G-M's "Dr. Kildare's Crisis" delves into the gruesome aspects of epilepsy, which for a time threatens to shatter the future happiness of the young physician and his fiancee. With Lew Ayres, Laraine Day and Lionel Barrymore again portraying their familiar roles, the film has as its plot the events leading up to and following Dr. Kildare's diagnosis of his fiancee's brother as an epileptic. A lengthy dissertation on the symptoms of the disease both mentally and physically, its hereditary nature and possible cures, are included in the dialogue.

Robert Young, listed as "guest star" in the film, plays the role of the brother. Other cast regulars seen are: Nat Pendleton, Walter Kingsford, Alma Kruger, Nell Craig, Frank Orth, Marie Blake and Horace MacMahon.

Harry Ruskin and Willis Goldbeck wrote the screenplay from an original story by Goldbeck and Max Brand, the latter having created the characters. Harold S. Bucquet, who directed all previous films in the series, guided this.

Running time, 70 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Honor Dave Miller At Cleveland Dinner

Dave Miller, Universal district manager at Cleveland, will be honored at a testimonial dinner to be given at the Hollenden Hotel, Cleveland, tomorrow night, on the occasion of his 20th anniversary with Universal.

In addition to numerous exhibitors and sales officials of the Ohio and Western Pennsylvania territory, Universal home office executives will attend the dinner. Among them will be W. A. Scully, vice-president and general sales manager, now in Detroit; F. J. A. McCarthy, Eastern and Southern sales manager, who is returning from Dallas; Bernie Kreisler, short subjects sales manager, and T. J. Murray, manager of exchange operations.

Ampa Hears Talk On Sales Methods

The application of the principles of showmanship to the selling of various commercial products as well as motion pictures, was outlined to a luncheon meeting of the Ampa at the Hotel Edison yesterday by Zenn Kaufman, author of several books on sales promotion and a specialist in the field. Kaufman cited the several factors which go to make up good sales promotion, applicable to the selling of films. Patricia Carroll, vocalist, sang two numbers.

Leon Bamberger, president of Ampa, who presided, announced the appointment of an attendance committee, headed by Vincent Trotta, and the appointment of Martin Starr as chairman of the publicity committee.

Hayman Foresees Chaos Resulting from Decree

By JAMES F. SCHRADER

BUFFALO, Nov. 28.—In a statement addressed to Federal Judge Henry W. Goddard, A. C. Hayman, managing director of the Lafayette Theatre here and president of the M. P. T. O. of Western New York, Inc., today declared that if the consent decree is promulgated, chaos, bitterness and controversy will result, with strangulation of the independent theatre operator.

Genesis of the decree was described by Hayman as one of the "most astounding betrayal stories in the annals of the amusement business." He asserted the anti-trust suit was conceived as a means to break an alleged monopoly, outlaw alleged abuses, force the divorce of the major film prorucers from theatre operation.

The statement said in part:

"Now, instead of punishing the producer-distributors for their alleged illegal acts, the Government proposes to turn the entire industry over to them, a proposal which will sound the death knell of the independent exhibitor.

"The decree gives producer-distributors practically the unrestricted right to auction off blocks of five pictures at a time, all of these at his own selection, providing only that he must give the exhibitor the opportunity publicly to view them previous to sale. In practice the exhibitor is given the alternative of paying the price demanded for all five, regardless of their merit, or of closing his theatre through inability to procure film product."

Hayman said producer-distributors, acting in unison, were in a position to engage the ablest legal talent immediately after the anti-trust suit was started two years ago.

" With the assistance of a few self-styled exhibitor leaders, none of whom had a dollar of invested capital at stake," he said, "the producer-distributors were able to defeat the intention of the suit. After nearly two years of litigation the Government found itself in a situation in which its original purpose had been lost sight of. A consent decree then was proposed, to which the producer-distributors may well be happy to agree."

See Mexican Ban On Nazi Newsreel

Mexico City, Nov. 28.—Ten of UFA's newsreels, depicting the Nazi side of the war, have arrived here. But because of the ban the powerful Confederation of Mexican Workers, foe of Nazism and Fascism, has exercised on all German films, a poor reception is expected for the reels.

Allen Is Cincinnati Variety Club Head

CINCINNATI, Nov. 28.—John M. Allen, M-G-M city salesman, has been elected chief barker of the local Variety Club, succeeding Arthur Frudenfeld, who has occupied the chair for two years. William Onie and William Koegel were named first and second assistants, respectively. Saul M. Greenberg was reelected property master, and Ralph Kinsler, dough guy.

New canvassmen are: Peter Niland, William Devaney, James J. Grady, Nathan Kaplan, Andrew Niedenthal and F. W. Hass. Also serving will be Frudenfeld, Joseph J. Oulahan and Harry Wessel, past chief barkers, in addition to the new officers. Allan S. Moritz was reelected national committeeman, and Noah Schecter was apointed to the national convention committee. Frudenfeld and Kinsler will be delegates to the national convention in Atlantic City next April, with Allen and Devanney, alternates.

The installation dinner will be held Dec. 2, in the club's quarters.

'Argentine' Scores $14,500, Cleveland

CLEVELAND, Nov. 28.—"Down Argentine Way" grossed $14,500 at the RKO Palace with Woody Herman's orchestra on the stage. "The Great Dictator" took $10,500 in the third week at Loew's Stillman.

Estimated takings for the week ending Nov. 21:

"Seven Sinners" (Univ.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $2,000. (Average, $4,000)
"Spring Parade" (Univ.)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $9,000. (Average, $11,000)
"World in Flames" (Para.)
"Cherokee Strip" (Para.)
LAKE—(900) (28c-40c) 7 days. Gross: $1,300. (Average, $1,500)
"Down Argentine Way" (20th-Fox)
RKO PALACE—(3,100) (33c-47c-55c) Woody Herman's orchestra on stage, 7 days. Gross: $14,500. (Average, $13,500)
"Arise My Love" (Para.)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $10,500. (Average, $11,000)
"Great Dictator" (U. A.)
LOEW'S STILLMAN—(1,900) (75c-$1.10) 7 days, 3rd week. Gross: $10,500. (Average, $4,000)

Xmas Party Tomorrow

DES MOINES, Nov. 28.—Tri-States Theatres plan to open both the Paramount and Des Moines Theatres this Saturday morning when they stage their annual children's Christmas party in cooperation with Younker Brothers Department Store toyland.

Maureen O'Sullivan Here

Maureen O'Sullivan flew in from Hollywood yesterday en route to Canada where she will visit her husband, John Farrow, an officer in the Canadian Navy.



A MARVELOUS OPPORTUNITY!

The Lady with Red Hair' is ready!

MAKE THE MOST OF IT!



A Honey of a New One from WARNERS

U.S. Studies Decrees for Local Cases

(*Continued from page 1*)

in Buffalo Federal court, probably will be taken up last.

While the study of consent decree possibilities in the Nashville and Oklahome City suits is being made, those actions will remain in status quo. If the study reveals that a decree is not possible, the five consenting companies in the New York suit would be dropped as defendants and an amended complaint against the circuits and Columbia, Universal and United Artists, the non-consenting companies, would be filed.

However, if a decree does result in any of the Government's regional suits it would have the effect of ending the action completely, since, with the regional circuit eliminated from the suit the Government would be without a cause of action against the three non-consenting companies.

Mexico City Weighs Price Rise Complaint

MEXICO CITY, Nov. 28.—The Municipal Government is investigating complaints of the public and Government workers that subsequent run exhibitors here are profiteering at their Sunday shows. The Government announces that it intends to curb this alleged profiteering under which prices are raised from 10 cents week days and 12 cents Sundays to 16 and 20 cents respectively for shows featuring the better class second run films.

The complainants assert that there is no reason for this boost because the dollar is of less value in Mexico now, currently 4.85 pesos as compared with 5.96 last June, and that the distributors have not raised their rates. Neither has there been an increase in theatre or other film industry taxes, and these exhibitors have made no improvements in their equipment or services.

Local first run theatres maintain the same price at all times, from 30 to 40 cents.

Nazi Protests Halt 'Pastor' in Mexico

MEXICO CITY, Nov. 28.—Protests by German interests here against the showing of "The Martyr," English film released in the United States under the title, "Pastor Hall," has caused the withdrawal of the picture from the Palacio Chino, two days before its scheduled run ended.

Schines Building House in Norwalk

NORWALK, O., Nov. 28.—Ground has been broken for a new 1,300-seat theatre, to be erected by the Schine Circuit in a prominent location in the downtown business sector, at an estimated cost of $100,000. Schines dominate this situation through operation of the Forum and Moose, the only two houses here.

NBC Sees Network Need To Meet Television Cost

(*Continued from page 1*)

in Washington and a Philadelphia location is being sought, he said.

Meanwhile, the New York outlet, W2XBS, is concentrating its efforts on technical phases rather than program development, Mullen said. He pointed out that while there was much to learn about programs, the primary interest now was the fixing of standards. Such telecasts as are now being made may be entertaining, he declared, but NBC's interest in them is from the technical viewpoint. "Everyone is interested in programs, but we can't be intelligent about programs until we settle the technical side," he declared.

Alfred H. Morton, NBC vice-president in charge of television, declared that NBC would continue with its television development program even if the FCC does not grant approval for commercial operation or set standards.

Officials present at the conference indicated that two major problems face television expansion in the immediate future. The first is the need for the fixing of standards and the second is the general economic situation. It was pointed out that radio would be counted upon to meet the manufacturing problem in the national defense program. With such increased demands, it may be difficult to launch a new industry.

On the other hand, in the same program, television research will be expected to continue for possible military purposes. Just as after the last war, radio emerged sufficiently advanced technically to launch itself as a major industry, there is a possibility that television may be advanced during defense research, it was said. Should the defense program relax in the future, television would be an ideal industry to pick up the slackened manufacturing pace.

Questioned directly, Mullen said that the defense program requirements would not cause NBC to abandon television. He pointed out that the network is currently spending $500,000 annually on the new medium.

Morton said that NBC was experimenting with color but indicated that that was a development for the future. Experiments on color include single band transmission with a mechanical device for separating colors.

While stating that estimates of television's immediate future were speculation, he said that there would be a "marked impetus" if the FCC approved standards and the needs of the defense program did not interfere. Given both eventualities, Morton said he believed there would be about 21-35 hours of program service weekly from the four New York stations combined by the end of 1941.

He said that he hoped the four stations would stagger their programs to spread them over as great a period as possible. Morton expressed complete confidence in television as an advertising medium and said he did not foresee any difficulty in obtaining sponsors.

NBC devoted 20 of last week's 34 hours on the air to testing for the National Television Systems Committee, including FM, polarization and synchronization, and such tests are now completed. NBC will continue on its present sporadic schedule until at least Jan. 27, when the FCC meets with the NTSC.

Toronto Circuit Net Profit Hits $94,508

TORONTO, Nov. 28.—Improvement in net operating profit was shown in the annual report of Marcus Loew's Theatres, Ltd., Toronto, for the fiscal year ending Aug. 28 last, but higher taxation reduced the income appreciably. Net profit was $94,508. The company's properties are Loew's Theatre in downtown Toronto and the Uptown Theatre, leased to Famous Players Canadian Corp. During the past year preference dividends totaling 14 per cent were paid to shareholders, covering arrears up to Dec. 31, 1938. Notice has been given of a 3½ per cent dividend on the arrears of the preferred shares, to be paid Dec. 21 to shareholders of record Dec. 7.

Loew's London Theatres, Ltd., operating Loew's Theatre at London, Ont., showed revenue for the year of $159,186, compared with $148,266 for the previous 12 months, and net operating profit was reported as $28,872, but, after taxation and other charges, the net was shown at $7,707, compared with $11,815 a year ago.

Takes Missouri Theatre

KANSAS CITY, Nov. 28.—Charles Weeks has taken over the Dexter Theatre at Dexter, Mo., and is redecorating it.

To Quiz 'U' Officials In Posen's Action

N. Y. Supreme Court Justice Charles B. McLaughlin yesterday ordered examination before trial of 10 officers and directors of Universal Pictures and four other companies in connection with the director's suit of Samuel I. Posen against Universal, its officers and directors, and a number of other company defendants.

The decision ordered the testimony of J. Cheever Cowdin, George N. Armsby, Daniel C. Collins, Preston Davie, Paul G. Brown, Ottavio Prochet, Budd Rogers, Samuel Spring, Willis H. Taylor, Jr., and Robert H. Cochrane. Universal Corp., Big "U" Film Exchange, Inc., Standard Capital Co. and Universal Pictures also are required to appear through officers. The court ordered the examinations to be held on separate dates. The suit charges the defendants with conspiring to dissipate Universal's assets.

Two Stories to Metro

M-G-M has acquired the film rights to "Doctors on Horseback," book by James Thomas Flexner, and "The Enchanted City," original by Peter Quinn.

N. W. Allied In Drive to Boost Gross

(*Continued from page 1*)

of Northwest Allied's major objectives during the new season.

"While Northwest Allied does not intend to minimize or let up on its campaign for more equitable rental terms, better product and the correction of other exhibitor complaints," Fred Strom, executive secretary of the organization, said, "it definitely recognizes that the greatest exhibitor problem today is the recapturing of the public's interest in the film theatre.

"The keenest competition for the public's entertainment dollar is being waged by many more forms of amusements and diversions today than ever before, and exhibitors must face that competition by putting forth greater efforts themselves. Night clubs, cafes, roadhouses, night baseball and football, hockey and ice shows, basketball tournaments, bowling alleys, this and that kind of a carnival, festival or convention, have all cut deep inroads into theatre attendance and income," Strom pointed out.

See Argentine Trade Improving Relations

(*Continued from page 1*)

prospect for 1941 as a result of a new municipal by-law relaxing the limitations on the number of seats permissible in each theatre. This is expected to add 6,000 seats and 10,200 more seats will result from construction of eight new theatres in the district in the near future.

The new houses are: Normandie, 1,500; Sarmiento, 1,300; Trocadero, 1,600; Mundial, 550; Cineac, 550; unnamed Coll, Di Fiore & Gatti house, 2,500; new house to be built by F. Reich, 1,600, and one to be built by A. Roca, 600.

Pathe Film 9-Month Net Profit $215,188

(*Continued from page 1*)

to K. M. Young, Pathe president, the portion of the Dupont earnings which accrued to his company's 35 per cent common stock interest in Dupont amounted to $416,136, as compared with $435,000 for the 1939 period. Of these earnings, he states, $171,136 were undistributed in 1940 and $190,000 in 1939. The undistributed amounts are not reflected in Pathe's present statement.

City Gives Lease On Ashland House

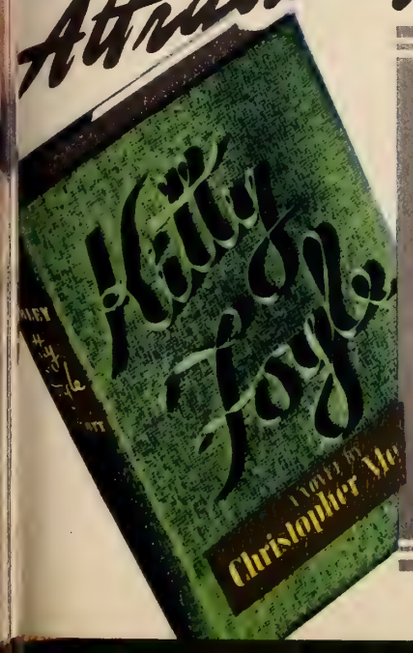
ASHLAND, O., Nov. 28.—The City Council has awarded a 25-year lease at $11,200 a year to Belik Theatre Corp. of Cleveland, for a theatre in the proposed new Municipal Building, which will be financed by a $230,000 bond issue approved by the voters at the recent election. The council rejected a bid of $303,000 for the 25-year term, submitted by the Ohio Amusement and Vending Co., Cleveland, which was the highest received.


" I wonder why man's dangerous age comes
about thirty years later than woman's." - -
"The difference between men bachelors and
girl bachelors is that men bachelors are
that way on purpose." - - "My old man was
smart. He knew when to treat a kid of
fourteen like a woman and when to treat
her like a baby. That's not so easy."
Kitty Foyle



GINGER ROGERS brings to life Christopher Morley's amazing best seller, Kitty Foyle, the most intimate novel about a woman ever written by a man. It's a truthful confession from a WHITE-COLLAR GIRL whose confessions are worth hearing. It's Kitty Foyle, emotionally undressed, trying to explain herself to herself... A comedy with heartbreak; a tragedy with laughs... The Natural History of a Woman... It's a picture no man should miss, no woman can forget.

RKO-Radio's Sensational New Year's Attraction!





GINGER ROGERS

In the First Great Romance of the White Collar Girl

"KITTY FOYLE"

Christopher Morley's Natural History of a Woman

With

DENNIS MORGAN • JAMES CRAIG

Eduardo Ciannelli • Ernest Cossart • Gladys Cooper

Directed by SAM WOOD

Who Made "Goodbye, Mr. Chips"

RKO RADIO PICTURE

RKO RADIO PICTURES

Produced by David Hempstead · Harry E. Edington, Executive Producer
Screen Play by Dalton Trumbo. Additional Dialogue by Donald Ogden Stewart



ORSON WELLES FINISHING "CITIZEN KANE"



With indications that it will be one of the screen's all-time outstanding pictures, "Citizen Kane" has but a short time more before the cameras. The word around the RKO Radio studios is that it's one of the biggest of the lot. Early release is planned, as is the case also with the Alfred Hitchcock-directed "Mr. and Mrs. Smith," starring Carole Lombard and Robert Montgomery.

LITHO

Short Subject Reviews

"Cuckoo Cavaliers"
(*Columbia*)

The Three Stooges continue their zany screen exploits as operators of a beauty salon in Mexico and that setting gives them ideal opportunity to clown in their inimitable slapstick style. The first three customers become completely devoid of hair and so the "beauticians" are run out of town. This is better than average for the trio. Running time, 17 mins.

"Sojourn in Havana"
(*Columbia*)

This is a thorough study of Havana in which the two main sections of the city are contrasted, one the scene of ancient structures and the other all modern. The short is interesting. Running time, 9 mins.

"Wise Owl"
(*Columbia*)

A Color Rhapsody, this cartoon has such splendid color as to compensate for a weak story. The characters are an owl in search of food and a group of bats having a jam session. Running time, 7 mins.

"Screen Snapshots, No. 3"
(*Columbia*)

Ken Murray provides a laugh as master of ceremonies on this tour of Hollywood. Dozens of screen stars are seen out of character, particularly at a baseball game between the leading men and the comedians. Entertaining material for film fans. Running time, 9 mins.

"Blondes and Blunders"
(*Columbia*)

Walter Catlett, Marion Martin, Ann Doran, Dick Fiske and Bud Jamison are the principal players and Del Lord directed this comedy of marital difficulties. Catlett unwittingly carries jewels for Miss Martin, who is smuggling them into the country. Catlett's wife becomes suspicious and some amusing complications follow. Running time, 16 mins.

"Hunting Wild Deer"
(*Columbia*)

The title sport is pictured on Sea Island, off the coast of Georgia, with Mrs. Andre De La Varre, wife of the producer of the short, toting the rifle. The fundamentals of the sport are well illustrated in an interesting subject. Running time, 9 mins.

"Take It or Leave It"
(*Columbia*)

The radio quiz program conducted by Bob Hawk makes for an amusing screen novelty. Hawk questions five contestants before the radio studio audience and each receives a sum of money for each correct answer. The exploitation possibilities of the subject are obvious. Running time, 10 mins.

Jeanette MacDonald Due

Jeanette MacDonald, M-G-M star, is due here Sunday and will give the last recital in her current concert tour at the Westchester Community Center in White Pains, N. Y., on Tuesday.

Critics' Quotes . . .

"TIN PAN ALLEY" (20th Century-Fox)

A bang-up, knockout swirl of entertainment, careening lustily along on the legends that the old songs were best and vaudeville was pretty darn good too . . . produced with sure showmanship.—*Cecelia Ager, PM (New York).*

In the hit class among screen musicals . . . the old songs are likely to become hits again because of the film.—*William Boehnel, New York World-Telegram.*

The picture is a standard 20th Century-Fox product, fast-moving, routinely cut for laughs and pathos, devoid of surprises and delivering the goods as specified.—*Archer Winsten, New York Post.*

A bright, lavish musical which steps along at a good pace. Quite enjoyable, old fellow, quite.—*Norman Clark, Baltimore News Post.*

Offers many of the essentials of a good show, and from the attitude of the audience which attended the premiere it is likely that it will have a profitable engagement.—*Gilbert Kanour, Baltimore Evening Sun.*

"THE LETTER" (Warners)

The Warner Brothers remake is the most effective of the story's incarnations. The current adaptation is strong stuff, intelligently presented, and geared to wreak teary havoc among the feminine moviegoers; in addition, it offers Bette Davis in top form in a made-to-order role.—*Newsweek.*

Director William Wyler has packed the picture with atmosphere . . . the bows may well go to Cameraman Tony Gaudio.—*Time.*

Bette Davis' most admirable work . . . William Wyler's direction and the work of the whole supporting cast are right out of the top drawer.—*Norman Clark, Baltimore News Post.*

A magnificent production which Warner Brothers studio have given the story and Miss Davis plays the part with all the skill, artistry and restraint for which her characterizations have been noted.—*Boston Globe.*

Bette Davis gives a characteristically excellent performance . . . a superior photoplay . . . grim, dreadfully grim, but it is also compellingly dramatic.—*Garrett D. Byrnes, Providence Journal.*

"LITTLE NELLY KELLY" (M-G-M)

Bothering little about story logic or proper casting, the movie spins a yarn whose main purpose is to give Judy Garland an opportunity to sing, dance, emote and dress up.—*Elsie Finn, Philadelphia Record.*

Full of nice songs and well received by the audience.—*Laura Lee, Philadelphia Bulletin.*

The affair is a darlin' collaboration, amusing, melodious, not making much sense, but offering much fun.—*Henry T. Murdock, Philadelphia Ledger.*

"YOU'LL FIND OUT" (RKO)

If you like to be kidded, we advise you not to miss this one. You'll find out what fun is.—*Dorothy Arden, Chicago Daily Times.*

Chills and chuckles combine in the most deliciously funny show of many a moon . . . a hilarious hodge-podge of music and mystery.—*Chicago Herald American.*

As engaging and amusing as "That's Right, You're Wrong" . . . all in fun . . . RKO hit on an excellent idea in spotting the band in a burlesque on the chiller-thriller type of picture.—*Donald Kirkley, Baltimore Sun.*

Plans Cooperative Purchase for Union

PHILADELPHIA, Nov. 28.—Cooperative purchasing for the 2,700 members of the musicians' local here which will bring not only reduced prices but increased employment for members has been proposed by Charles J. McConnell, music contractor for Warner theatres here and candidate for the local's presidency.

The "McConnell Plan" calls for contracting with business and amusement firms for quantity discounts on the basis that members will buy from them exclusively. Half of the discount would have to be applied to the use by the firm for advertising which requires the use of musicians.

Loew Men Shifted

S. H. Meinhold of Loew's has made the following promotions and transfers in the New York Loew circuit: Clyde Fuller, assistant at Loew's Valencia, becomes manager of the Oriental, replacing Joseph Rubenfeld, deceased. Harvey Everett, Astoria, moves to Loew's Palace.

Resumes Stage Policy

CINCINNATI, Nov. 28.—The 2,150-seat RKO Shubert, which last season played a combination policy of stage shows and pictures, but which so far this year has been used as a moveover house for pictures, will resume its stage show policy Dec. 27.

Film Fans Break Theatre Strike

MEXICO CITY, Nov. 28.

RAILROADERS of Coatzcoalcos, the Gulf port of Vera Cruz state and northern terminal of the railroad being built by the Federal Government, have demonstrated that they are ardent film fans. These railroad men, by moral persuasion, ended a strike against the only house in the town, the Cine Ideal and contributed cash for modernizing the theatre. In gratitude, the exhibitor has given all the men and their families passes. But there are still enough others in the oil town to make running the theatre a paying proposition.

Showmanship Flashes . . .

Carrier Pigeon Flight Is Employed on 'Reuters'

SAN FRANCISCO, Nov. 28.—A stunt that rated news space and pictures in all four local papers was staged by the Warfield for the showing of "A Dispatch from Reuters." The theatre arranged to have Mayor Fletcher Bowron of Los Angeles release two carrier pigeons, carrying a message to Mayor Angelo Rossi here, urging Rossi to proclaim a "Freedom of the Press Week" for the film's opening.

Ties Up with Stores On Christmas Shopping

San Francisco, Nov. 28.—The Bay View Theatre here has arranged a tieup with the Bay View Merchants Association, for joint daily promotion of Christmas holiday buying in the district. A theatre party is planned, plus special decoration of the theatre's exterior for the Yuletide season.

Cincinnati House Ties With Newspaper Contest

CINCINNATI, Nov. 28.—The Cincinnati *Times-Star,* in cooperation with RKO, is conducting a "Giggle-Ad" contest, in which the public is asked to select a full line of type from four or more classified advertisements in the Christmas Gift Guide section, and combine the lines into one paragraph, naming the advertiser from whom the advertisement was taken. Two guest tickets to RKO theatres will be awarded daily for the best 10 compilations submitted.

Mail Perfumed Letters To Aid 'Letter' Run

SAN FRANCISCO, Nov. 28.—The Fox here for the premiere of Warners' "The Letter," mailed to 1,500 persons handwritten, perfumed letters, the first page of which was a copy of the letter which formed part of the dramatic background of the film. The inside page carried sales copy.

'Escape' Contest Is Used in Bridgeport

Bridgeport, Conn., Nov. 28.—Matt Saunders of the Poli here, arranged a contest for "Escape," with the *Times-Star,* for letters on, "What Is Your Favorite Form of Escape?"

Kissable Lips Contest Framed on 'Bitter Sweet'

CLEVELAND, Nov. 28.— Manager Ev Steinbuch of Loew's State had Cleveland puckering up for a most kissable lips contest, run in conjunction with the opening of "Bitter Sweet." For the best "kissogram" with the contestant's views on the subject and best sketch of the most attractive lips, the Cleveland *News* offered a prize.

March of Time Issues 'Arms and Men' Manual

The March of Time has issued for exhibitor use an elaborate and complete clip and work book on the latest issue of the reel, "Arms and the Men—U. S. A." Included in the stitched pamphlet, and indexed at the side for convenience of handling, are selling aids, billing copy and accessories, examples of school tieups, poster ideas, a study guide for teachers and forum groups and publicity material for radio and newspapers.

13 Groups Ask Air Monopoly Hearing Time

WASHINGTON, Nov. 28.—Thirteen organizations have filed requests to be heard at the monopoly hearings which will open before the FCC next Monday, the commission made known today.

The FCC listed the points on which it would hear argument but said counsel would not be prohibited from discussing any other point they desired.

It was indicated, however, that the commission is primarily interested in the Monopoly Committee recommendations that stations be prohibited from making exclusive affiliations with any network, or which give the network more than 10 to 30 per cent, depending on competition, of the station's time, and in recommendations on other points of station-network contracts. The FCC also listed a suggestion made that networks be prohibited from owning stations, or, alternatively, that no web shall be permitted to operate more than two clear channel stations or more than three stations of all classes.

The 13 organizations which filed requests will be given a maxium of one hour each. The order in which they will be heard is NBC, CBS, Independent Radio Network Affiliates, Don Lee Broadcasting System, Mutual, WBNY, Buffalo, WHBF, Rock Island, Ill., KFRO, Longview, Tex., World Broadcasting System, Association of Radio Transcription Producers of Hollywood, American Federation of Musicians, Independent Artists and Associated Music Publishers.

Set Hearing Jan. 6 In Record Action

PHILADELPHIA, Nov. 28.—Judge Guy K. Bard, in United States District Court, has set Jan. 6 as the date for arguments on the application by Herbert A. Speiser, attorney for the National Association of Performing Artists, to have the suit against WPEN, seeking an injunction to restrain the local station from playing phonograph records, returned to the state courts.

The suit was originally filed last January in the local Common Pleas Court. But since then, Philip Werner Amram, attorney for the station, had the case removed to the Federal courts. WPEN counsel also raised the question as to whether the station's sponsors using recorded shows on WPEN were properly joined as defendants and the Jan. 6 hearing will be largely for the taking of testimony on that point.

'Land of Liberty' Is Set for Three Cities

"Land of Liberty," film sponsored by the M.P.P.D.A., and which is being released nationally by M-G-M, will play three cities, following its premiere at Williamsport, Pa. They are: the Majestic, Evansville, Ind.; Dec. 5; Broadway, Portland, Ore., Dec. 11, and State, Memphis, Dec. 12.

Off the Antenna

A SERIES of 13 programs from Army training camps will start over NBC-Blue Friday, Dec. 20 at 8 P.M. A mobile unit will pick up the entertainment which will be furnished by the trainees themselves. The schedule starts with Fort Dix, followed by Langley Field, Fort Bragg, Camp Jackson, Fort Benning, Fort McClellan, Fort Shelby, Barksdale Field, Fort Sill, Randolph Field, Fort Bliss, March Field and Fort Lewis. George Hicks, special events announcer, and Lester O'Keefe, program director, will assist the men putting on their shows.

• • •

Program News: *WHN will start another junior "Information, Please" Tuesday at 9 P.M., called "Kid Wizards." Jay Langner, aged 10, Chick Young, 9, and Jimmy Keegan, 14, will be the regulars and youngsters who stump the precocious experts will be entitled to sit in as guests . . . Charles Stark of the "Morning Almanac" show over WABC has been invited by Richard Maxwell, "The Gospel Singer," to make a guest appearance to tell about Phil Cook's drive for books for shut-ins . . . WOR this week began broadcasting announcements telling of the annual offer by the Radio Servicemen of America to pick up old receivers for reconditioning and gifts to institutions . . . Esterbrook Pen Co. will sponsor a 15-minute short wave program of comment on the Metropolitan Opera, over NBC's WRCA and WNBI. . . . "The Pause That Refreshes on the Air" is the name of the new Coca-Cola program starting Sunday at 4:30 P.M. over CBS.*

• • •

Continuing the changeover of Westinghouse stations from NBC-Blue to Red, WBZ, Boston, and WBZA, Springfield, Mass., will shift to the Red on June 15, 1942 . . . CHSJ, CBC station in St. John, Newfoundland, has increased its power from 100 watts to 1,000, and its basic rate has been raised from $35 per hour to $50.

• • •

Preparing for the dedication of its new 10,000 watt transmitter and new studios about the first of the year, WOV has initiated 23 live talent programs and expects to eliminate all recorded programs except those directed to dance audiences shortly. Hyla Kiczales, WOV general manager, plans to have the evening programs divided into four age groups. In the early evening, programs will be directed to children below the 'teen age. Programs for the elderly people will follow and then those for the middle-age group will be heard. In the later hours, programs will be directed at those in their 'teens and twenties, with plenty of dance music.

• • •

Purely Personal: *Dick Dorrance, promotion director for FM Broadcasters, Inc., returned yesterday from a honeymoon trip to Havana . . . William Fineshriber, who formerly wrote scripts on serious music for CBS, has been named director of the network's music department. Ben Hyams, who handled music in the publicity department, will take over Fineshriber's script work . . . Raymond Gram Swing, Mutual commentator, will take his first vacation since the beginning of the war crisis, beginning Christmas Eve. Paul Schubert, WOR naval expert, Cy Caldwell, aviation authority, and Major Leonard Nason, military strategist, will substitute in that order on Tuesdays, Wednesdays and Thursdays. Substitutes for the remaining days, when Swing is sponsored, have not been made.*

WCAU Granted FM Permit For Philadelphia Station

WASHINGTON, Nov. 28.—The Federal Communications Commission has granted a construction permit to the WCAU Broadcasting Co. for a new FM station in Philadelphia.

The station will operate on 46,700 kilocycles, covering 9,300 square miles with a poulation of 3,846,651, and the company is to provide 12 hours of service daily, equally divided between the daylight and evening hours.

Six Ask FM Stations

The commission announced receipt of applications for six more FM stations, as follows: Westinghouse Radio Stations, Inc., Boston, to operate on 46,500 kilocycles to cover 6,652 square miles with a population of 3,389,751; Westinghouse Radio Stations, Inc., Springfield, Mass., to operate on 48,100 kilocycles to cover 2,022 square miles with a population of 499,098; Westinghouse Radio Stations, Inc., Philadelphia, to operate on 45,500 kilocycles to cover 11,492 square miles with a population of 4,787,535; Westinghouse Radio Stations, Inc., Pittsburgh, to operate on 47,500 kilocycles to cover 14,700 square miles with a population of 3,881,463; Westinghouse Radio Stations, Inc., Fort Wayne, Ind., to operate on 44,900 kilocycles to cover 6,150 square miles with a population of 420,168, and the Woodaam Corp., New York, to operate on 45,300 kilocycles covering 8,500 square miles, with a population of 11,417,000.

Seek Power Increases

An application of Station WJLS, Beckley, W. Va., for change of frequency from 1,210 to 900 kilocycles and increase of power from 250 to 1,000 watts was ordered set for hearing on a date to be fixed later.

Application for a new 1,310-kilocycle, 250-watt station at Cedartown, Ga., was filed with the commission by the Northwest Georgia Broadcasting Co.

The commission also received applications from Stations WJDX, Jackson, Miss., and KOL, Seattle, for increases of night power from 1,000 to 5,000 watts, and from KTSM, El Paso, Tex., for increase of power from 500 to 1,000 watts.

Two Officials Resign from Board of CBC

TORONTO, Nov. 28.—Two resignations from the board of governors of the Canadian Broadcasting Co. were made yesterday as a result of a dispute over policies during a board meeting. The resignation of Alan B. Plaunt, one of the original members of the board, was accepted although the attendant publicity was deplored.

D. W. Buchanan, director of public affairs, also resigned "because of a lack of organization and a clear definition of policies," a statement generally regarded as an attack on Gladstone Murray, general manager, who was formerly associated with the British Broadcasting Co. in London.

The board adopted a vote of confidence in Murray and Dr. Augustin Frigon, assistant general manager, whereupon Plaunt declared that the board's motion was an effort to whitewash the whole issue. Plaunt made no criticism of Frigon, however.

The CBC announced that it would deal with the Dies report in Washington that Transradio News had Nazi connections. About 40 stations had used this service, it was said, but a number cancelled. It was also stated that commercial news services will be eliminated Jan. 1 when CBC will start its own newscasts.

Net operating profit for the year ended March 31 was reported at $253,990, with income of $3,752,061 and expenditures of $3,498,071. License fees, including the receiver tax, totaled $2,906,605, and sponsored programs brought $700,867. Expenditures included $1,150,658 for programs; $685,308, network operation; $610,482, engineering; $162,939, administration, and $316,274, depreciation.

Mexican Stations to Make Discs for Sale

MEXICO CITY, Nov. 28.—Local Stations XEW and XEQ, owned and operated by Emilio Azcarraga, who is also proprietor of the de luxe Cine Teatro Alameda, a leading house here, are arranging to make discs of their best singers' and musicians' programs for sale to small provincial stations that desire to improve their programs.

XEW and XEQ are the leading Mexican radio stations. This proposition calls for the establishment here of a large recording plant. This enterprise, the first of the kind in Mexico, is expected to get going early in January.

M. J. O'Brien Dies

TORONTO, Nov. 28.—M. J. O'Brien, millionaire mining man and railroad contractor, died at his home in Renfrew, Ont., after a lengthy illness. O'Brien was the owner of four theatres, located at Renfrew, Pembroke, Arnprior and Almonte, Ont., which are operated under the name of the Ottawa Valley Amusement Co.

"ARIZONA" DELIVERS BIGGEST THANKSGIVING BUSINESS IN YEARS AT LOEW'S MIDLAND, KANSAS CITY...THREE TIMES BIGGER THAN THE GREAT "MR. SMITH"!

COLUMBIA PICTURES

Out today

A NEW EXHIBITORS' SERVICE SECTION WHICH MAKES ITS FIRST APPEARANCE IN THE CURRENT ISSUE OF MOTION PICTURE HERALD, OUT TODAY.

PRODUCT DIGEST becomes a regular feature of MOTION PICTURE HERALD

PRODUCT DIGEST

ADVANCE PRODUCTION ANALYSIS AND COMPLETE DATA ON 1940-41 PRODUCT

A cumulative alphabetical index to all 1940-41 feature product

The material in each issue of PRODUCT DIGEST supplies this information at a glance

TITLES

PRODUCTION NUMBERS

SYNOPSES

CASTS OF CHARACTERS

RELEASE DATES

REVIEW DATES
(AND PAGE NUMBER IN MOTION PICTURE HERALD)

AUDIENCE CLASSIFICATIONS

LEGION OF DECENCY RATINGS

RUNNING TIME

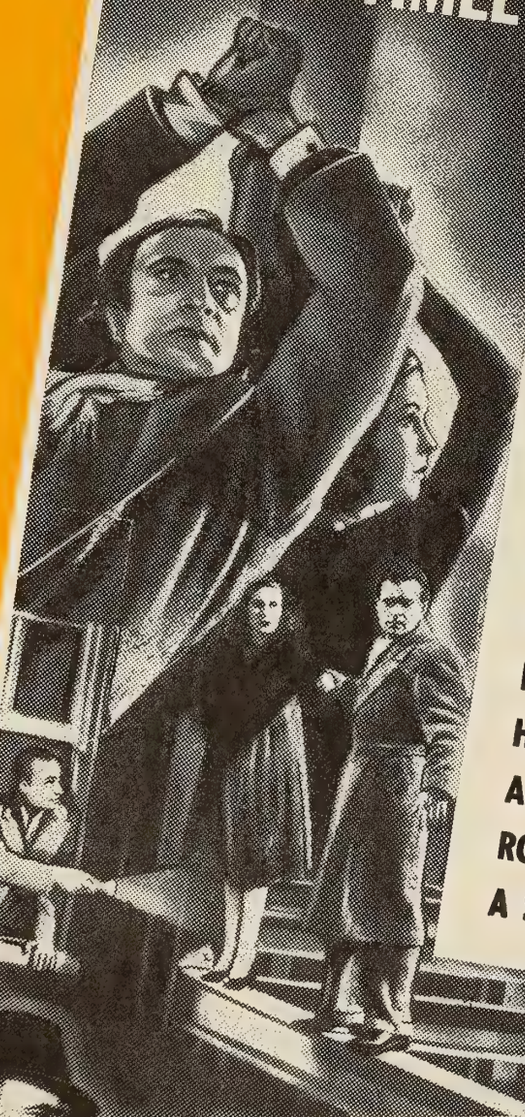
DIGEST OF EXPLOITATION

"First class entertainment...loaded with suspense, dramatic vitality and skillful performances!"

—BOXOFFICE

TODAY YOU CAN SEE THE BIG SCREEN THRILL THAT IS AS TIMELY AS TODAY!





THE WORLD'S LARGEST CITY... EIGHT MILLION SOULS SHROUDED IN BLACKOUT...

IN THE BLACKNESS OF THIS LONDON NIGHT, TWO PEOPLE MEET... ONE, A MAN OF THE SEA, SILENT, MYSTERIOUS... THE OTHER A WOMAN OF GLAMOR...A DEVIL-MAY-CARE ADVENTURESS THRILLING TO THE DANGERS OF INTERNATIONAL INTRIGUE...

FATE BROUGHT THESE TWO TOGETHER, THE UNSEEN HAND OF DESTINY WAS TO WRITE A STRANGE ADVENTURE FOR THEM. DRAMA STRIKES... ROMANCE BEGINS FOR TWO PEOPLE TO WHOM A SINGLE NIGHT MEANT A LIFETIME OF ADVENTURE.



BLACKOUT

Starring

CONRAD VEIDT • VALERIE HOBSON

sensation of "ESCAPE" *heroine of "DRUMS"*

Presented by **UNITED ARTISTS**

This is one of the exciting ads in U. A.'s packed-with-action campaign!

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 107 NEW YORK, U. S. A., MONDAY, DECEMBER 2, 1940 TEN CENTS

Masters Is Slated U.A. Western Head

Would Replace Schlaifer As Sales Manager

Haskell Masters, Canadian division manager for United Artists for many years, is reported to be slated for the post of Western sales manager of the company. He will succeed L. J. Schlaifer, who resigned recently as vice-president and Western general sales manager.

The appointment of Masters would conform with the established policy of Maurice Silverstone, United Artists chief executive, of making promotions from within the company's ranks. In his new post Masters would share domestic sales responsibility with Harry L. Gold, United Artists vice-president and Eastern general sales manager, under Arthur W. Kelly, vice-president and distribution head.

Several United Artists sales officials are under consideration for the post which would be vacated by Masters, among them Samuel Glaizer, Toronto branch manager.

Masters has represented United Artists in Canada since 1919. Prior to

(*Continued on page 7*)

Operators Win Suit Over ITOA Contract

Operators Union, Local 306, scored a victory in the Municipal Court Friday, in a test suit brought to enforce the agreement made with the New York I.T.O.A. last Fall, under which projectionists were granted a 10 per cent wage increase and a second week's paid vacation. Defendant in the suit was the Kissena Amusement Corp., operator of the Taft, Flushing, L. I., which was ordered by Justice

(*Continued on page 7*)

'Dictator' Terms in S. A. 70% of Gross

"The Great Dictator" has been sold in Argentina, Canal Zone, Java and Straits Settlements on terms which give United Artists large cash guaranties in addition to 70 per cent of the gross, extended runs and road-show admission scales, Walter Gould, United Artists foreign department head, reported on Saturday.

The Argentine deal gives the company its biggest guaranty on any pic-

(*Continued on page 7*)

Nine B'way Plays Give Sunday Shows

An experimental matinee at $1 top by "Horse Fever" featured the second series of Sunday stage performances yesterday. Nine plays gave evening performances, as compared with 10 last Sunday, but the League of New York Theatres expects the trend to grow. Evening performances included "Blind Alley," "Charley's Aunt," "Fledgeling," "Hellzapoppin'," "It Happens on Ice," "Johnny Belinda," "Separate Rooms," "Tobacco Road" and "Horse Fever."

Mexico to Aid Film Industry

By JAMES LOCKHART

MEXICO CITY, Dec. 1.—Congress has assured the Mexican picture industry that it will give attention before the end of this year to various bills calling for Government aid. The measures include the founding of a state-directed financing bank here with an ultimate capital of $4,150,000, to be provided jointly by the industry and the Government; Federalization of the business, and to compel American distributors to use 25 per cent of their yearly income to finance Mexican production.

The first two bills are expected to pass, but little hope is seen for the last one.

Life has been given the proposal of some producers that was shelved a time ago to dicker with Hollywood for the production of Spanish language pictures in Mexico. This, it is said,

(*Continued on page 7*)

Kent to Conduct Meeting at Studio On Decree Program

Sidney R. Kent, president of 20th Century-Fox, will preside at a conference at the studio, starting Jan. 15, to discuss the company's production plans as affected by operations of the Federal consent decree.



S. R. Kent

It is expected that preliminary plans will be made for the 1941-42 production program.

Scheduled to attend the studio conference are Herman Wobber, general manager of distribution; Joseph M. Schenck, chairman of the board; Darryl F. Zanuck, vice-president in charge of production, and William Goetz, executive assistant to Zanuck.

It was also disclosed that distribution under the decree will be discussed at a series of meetings at all branches which will be presided over by Division Managers William Sussman, W. C. Gehring and William Kupper. Each division manager will be accompanied by a member of the staff of General Counsel Felix A. Jenkins. Managers, salesmen and bookers will attend these meetings, and there will be round table sessions at which the home office officials will clarify operations of the decree as it is expected to affect distribution locally.

Jenkins is compiling a simplified manual outlining operations under the decree which will be distributed to the field forces for their study and reference.

UNIVERSAL'S YEAR NET PROFIT ESTIMATED MORE THAN $2,000,000

Net profit in excess of $2,000,000 is estimated for Universal for the fiscal year ended last October 27. The estimate, by Wall Street sources, is after provision for Federal taxes and special amortization reserve for foreign market losses. It shows further considerable improvement for the company under Nate J. Blumberg, president.

Universal reported net profit of $1,153,321 for the fiscal year ended Oct. 28, 1939, after all taxes and charges. The company's audited report for the 1940 fiscal year is not expected to be completed until some time in January, due to indicated delays in transmission of reports from foreign subsidiaries and offices abroad.



Nate Blumberg

$12,800,000 Seen British Withdrawal

U. S. Pact with London Expected this Week

LONDON, Dec. 1.—Trade officials here anticipate an agreement some time this week on a new currency agreement between Great Britain and American distributors covering the amount which can be withdrawn by the latter during the next 12 months and the uses to which "frozen" currency may be put.

Indications are that the last proposal made, authorizing the withdrawal of $12,800,000 by the eight major American companies, including Universal, will be a final one on that particular phase of the agreement.

The companies will be authorized to withdraw 75 per cent of the $12,800,000 during the first six months of the agreement, or up to next May 1, and the remaining 25 per cent may be withdrawn during the second six months if that $3,200,000 is actually earned during the period.

Half to Buy Films for Export

Frozen funds here may be used by the American companies for half the purchase price of British films intended for export, and the balance is to be paid for in dollars, under current proposals which, however, are still in negotiation. Salaries of employes of American companies in England may be paid out of frozen funds and those funds may also be used to pay for prints made here, according to present indications.

No frozen funds may be employed for purchase of or investment in British theatre properties.

The final stages of the negotiations are being handled here by the American Embassy and F. W. Allport, M.P.P.D.A. representative, with the Board of Trade and Treasury officials.

Reviewed Today

"Second Chorus" is reviewed from Hollywood on Page 4. Reviews of "The Man of the Hour" and "Design for Murder" also are on Page 4. Critics' Quotes and Short Subject Reviews will be found on Page 7.

20th-Fox London Office Evacuated

Head office of the British sales organization of 20th Century-Fox has been moved from London to Moreton Pinkney Manor, near Rugby in Warwickshire. The sales forces have been evacuated from the 20th Century-Fox Building in Soho Square, London, according to word reaching the home office here.

Reeve Is Honored At Farewell Dinner

A testimonial dinner for Arch Reeve, retiring as advertising director of 20th Century-Fox, was given on Friday night in the Tower Room of the Park Central Hotel.

Reeve, who is succeeded by Maurice Bergman, former advertising and publicity director of Columbia, was scheduled to leave for Los Angeles this week, but the recent illness of his son may delay his departure. He was presented a wrist watch at the dinner, at which Charles E. McCarthy, advertising and publicity director, was toastmaster.

Approximately 50 were present at the dinner. Among them were: Jerome Beatty, S. Barret McCormick, Paul Benjamin, Gus Eyssell, John C. Flinn, Ray Gallagher, Mark Larkin, Charles E. Lewis, Lester Thompson, Al Wilkie, Rodney Bush, Earl Wingart, James P. Cunningham, Lou Rydell, Herbert Fecke, James Cron, Maurice Kann and Morris Kinzler. Last Wednesday, 20th Century-Fox distribution executives tendered Reeve a luncheon.

W. B. Zone Heads in Meeting Tomorrow

Joseph Bernhard, general manager of Warner Theatres, will preside over a two-day meeting of the zone managers, at the home office beginning tomorrow. Those attending will be:

James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Don Jacocks, Newark; Moe Silver, Albany; John J. Payette, Washington; Herb Copelan, Atlantic City, and Howard Waugh, Memphis.

Among the home office executives who will participate in the conference are:

Clayton Bond, Ed Hinchy, Leonard Schlesinger, Harry Goldberg, Frank Phelps, Nat Fellman, Abel Vigard, W. Stewart McDonald, Harry Rosenquest, Louis Kaufman, Sam Morris, Herman Maier and Frank Cahill.

'Letter' to Be Held 4 Weeks at Strand

"The Letter," Warner picture starring Bette Davis, will be held for a fourth week at the Broadway Strand. The film grossed $48,500 in its first week at the house, ending Thursday.

The original intention was to hold the film only two weeks at the house, to make room for additional product, but the first week gross resulted in the decision to hold the picture a third week, and on Friday is was stated that a fourth week was decided upon.

Personal Mention

LEONARD GOLDENSON, Paramount theatre executive, left yesterday on a week's trip to Memphis, New Orleans and Atlanta.

•

EDWARD C. RAFTERY of O'Brien, Driscoll & Raftery returned Saturday from United Artists meetings on the Coast. MAURICE SILVERSTONE, United Artists chief executive, arrives from the Coast by train today.

•

MARVIN SCHENCK of Loew's arrives on the Coast today.

•

ARTHUR LOEW, vice-president of Loew's, was discharged from Mount Sinai Hospital on Saturday.

•

WILLIAM C. GEHRING, Central division manager for 20th Century-Fox, returns today from a tour of Midwest exchanges.

•

ED SCHNITZER, Warners Eastern district manager, is convalescing after a recent unexpected operation at the LeRoy Sanitarium.

•

ABE LASTFOGEL is due from the Coast this week.

•

OTTO BOLLE, 20th Century-Fox managing director for South Africa, will spend the holidays in Michigan before returning to his post in Johannesburg.

•

SAM SHAIN returns today from Newton, Mass.

•

WILLIAM JACKSON of the Liberty, Pen Argyl, Pa., is recuperating from a recent illness.

SPYROS SKOURAS, head of National Theaatres, is expected from the Coast this week.

•

W. A. SCULLY, Universal general sales manager, and F. J. A. McCARTHY, Eastern and Southern sales manager, will return today from Western business trips.

•

CHARLES STEARN, U. A. district manager; HASKELL MASTERS, U. A. Canadian general manager, and DAVID GRIERSDORF, JAMES ROOSEVELT's representative, visited in New Haven late last week.

•

MICHAEL MAYER, son of ARTHUR MAYER, operator of the Rialto on Broadway, is collaborating on an article on the consent decree for the *Yale Law Review.*

•

CHARLES STIEFEL, Philadelphia exhibitor, was host on Saturday at the Bar Mitzvah of his son, MURRAY.

•

ISABELLE AUSTIN, secretary to HOMER HARMAN, publicity manager of the Roxy Theatre, will return today from a two-week vacation in Miami.

•

MRS. C. G. KEENEY, wife of the manager of the Park, Reading, Pa., was injured in an auto accident last week while returning her sons to military school.

•

GEORGE KURLANSIK, owner of the Towne and Transit, Allentown, Pa., has left for Florida with his family for an indefinite stay.

•

EDGAR E. LLOYD has left on a trip to the Midwest.

Para. Board Votes Dividends on Stock

Paramount board of directors at a meeting Friday declared regular quarterly dividends on the company's first and second preferred stock and a dividend of 15 cents per share on the common stock. The dividends of $1.50 per share on the first preferred and 15 cents per share on the second preferred are payable Dec. 24 to holders of record Dec. 10. The common dividend is payable the same date to holders of record Dec. 9.

Sears Leaves for Tour of Exchanges

Gradwell L. Sears, general sales manager of Warners, left Friday by train for a tour of Southern and Western exchanges, in connection with new season selling and the annual Sears drive. He will conclude his trip at the studio and is expected back at the home office in about three weeks.

M-G-M Japan Head Arriving Here Today

Morey Marcus, M-G-M manager in Japan, is due here today from the Coast where he arrived a week ago. He will report to Arthur M. Loew, vice-president in charge of foreign activities, on the situation in the Orient. Marcus may remain here several months. He conferred with studio officials upon his arrival.

David Rose Leaves For Coast Tomorrow

David Rose, Paramount managing director for England, who arrived from Europe Friday on the *Excambion,* will leave for the Coast tomorrow night to visit his family. He plans to remain in this country at least until after New Year's.

In conferences with Paramount home office executives upon his arrival, Rose expressed confidence over conditions in England and prospects for the future there.

Rodgers Due from Chicago Wednesday

CHICAGO, Dec. 1.—William F. Rodgers, M-G-M general sales manager, plans to be back in New York on Wednesday following the sales meeting he is conducting here of the company's district and branch managers. Other home office executives are expected to leave here tomorrow for New York.

Hold Anderson Rites

Funeral services for Richard V. ("Dick") Anderson, industry veteran who had been in charge of physical distribution of RKO Pathe News, were held yesterday at the Park West Memorial Chapel. Anderson died Thursday after a long illness at the age of 53.

Columbia Luncheon Tendered Bergman

More than 100 Columbia home office executives and employes tendered a farewell luncheon to Maurice A. Bergman at the Hotel Astor on Friday. Bergman, advertising and publicity director at Columbia for the past three years, assumes his new post as advertising manager of 20th Century-Fox today.

Farewell speeches were made at the luncheon by Jack Cohn, Columbia vice-president, and Nate B. Spingold. Bergman was presented with a watch by his former associates. Those at the luncheon were presented with an eight-page press book containing a humorous treatment of Bergman's career. It was inscribed: "Columbia Pictures Presents to 20th Century-Fox 'Golden Boygman,' starring Maurice A. Bergman."

Among those present were: Abe Schneider, Joseph McConville, Rube Jackter, Louis J. Barbano, Louis Weinberg, Louis Astor, Mortimer Wormser, Max Weisfeldt, Nat Cohen, Hortense Schorr, Sylvia Kossack, Frank McGrann, Jack Myers, Al Sherman, Larry Lipskin, William J. McKale, Dave O'Malley, Max Seligman, Irving Moross, Leonard Picker, Irving Wormser, Eve Ettinger, C. W. Sharpe, Leo Jaffe, Hank Kaufman, Jack Segal, Mark Freeland, Jose Schorr.

Frank Rosenberg, George Ettinger, Harry Speigal, Ralph Martin, Sy Roman, William Clemence, Ed Schwartz, Maurice Grad, George Josephs, Hal Hode, Floyd Weber, John Kane, Harry Takiff, Sol Trauner, William Brennan, Max Cohn, Seth Raisler, Bernie Birnbaum, Vincent Borrelli, Arnold Picker, Maurice Brunet, John Agell, Clarence Schneider, Joseph Cohn, Charles Schneer, Joe Levy, Tom McCue, Joseph Frieberg, Ben Morris, Irving Sherman, Herb Smith.

R. B. Phillpot, Dave Robbins, Phil Weisman, Herman Golden, Harold Sachs, Robert Ferguson, Bernice Gobel, Miriam Hirschhorn, Nancy Klein, William Bentley, Frank Begg, Charles Courtney, Wilbur Harrison, Jerry Kerr, Jack Kerness, Fred Small, Larry Kupler, Barye Phillips, Ray Williams, Jerry O'Neil, Irving Gillman, Ceil Schnabel, Margaret Kapfer, Harry Vigoda, Charlotte Walerstein, Ernst Litchenstein, Marvin Middleman, Murray Goldstein, John Pirrone.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

Many Great Pictures Were Released in November but Robbin Coons of the Associated Press says—

THE BEST PICTURE OF THE MONTH

is

Walter Wanger's

John Ford Production of Eugene O'Neill's

THE LONG VOYAGE HOME

with

John WAYNE ★ *Thomas* MITCHELL ★ *Ian* HUNTER

BARRY FITZGERALD • WILFRID LAWSON • JOHN QUALEN

MILDRED NATWICK • WARD BOND • *Directed by* JOHN FORD

Adapted for the screen by Dudley Nichols • Produced by Argosy Corporation

—and 1,200 Associated Press newspapers spread the news to more than ten million readers!



Held Over . . .

2nd Week—Grand, Cincinnati
Held over—Keith's, Boston
2nd Week—Apollo, Chicago
3rd Week—4 Star, Los Angeles
4th Week—Rivoli, New York City
..and it's the big Thanksgiving Attraction at the Aldine, Philadelphia!

Released thru
UNITED ARTISTS

P.S. Best Picture of the Month too, in The Hollywood Reporter Poll.

Old Statute to Cost House Annual $250

Runnemede, N. J., Dec. 1.—The town's only theatre, the Runnemede, from which the borough receives no revenue, hereafter will have to pay an annual fee of $250, the City Council voting to enforce the amusement license ordinance which had been dormant for many years. The council also authorized its fire committee to carry out recommendations of the fire marshal to order certain repairs at the theatre which were said to be necessary for safety.

300 at Cleveland Dinner to Miller

CLEVELAND, Dec. 1.—Dave Miller, Universal district manager, was honored at a testimonial dinner last night at the Hotel Hollenden with more than 300 exhibitors, local film distributors and civic leaders in attendance. The occasion was in celebration of Miller's 20 years of service with Universal. Miller was presented with tickets for a Caribbean cruise which he will take this Winter.

Among those who were present were: William A. Scully, Universal general sales manager; F. J. A. McCarthy, Eastern division sales manager; Judge Silbert; Mayor Harold L. Burton, who is Ohio Senator-elect; Gloria Jean, Universal starlet, and F. T. Murray and B. B. Kreisler from the Universal Home Office.

Dave Miller, who was an usher in a Cleveland theatre while attending high school, joined the Universal exchange in Cleveland in 1920, and thereafter was connected with the Universal exchanges in Buffalo, New York, Cleveland, Cincinnati and Chicago. He assumed his present post in 1938.

K.M.T.A. Will Meet In Topeka Dec. 17

KANSAS CITY, Dec. 1.—The annual convention of the Kansas-Missouri Theatres Association will be held in Topeka, Kan., Dec. 17, Frank Cassil, president, has announced. Cassil indicated that the principal item on the exhibitors' agenda would be the consent decree, since the convention has been postponed several times this Fall until the decree reached an outcome. With the Missouri and Kansas legislatures meeting in January, legislation also will come up for study.

20th-Fox Designates Week for Managers

The week of Dec. 8 to 14 has been designated as Branch Managers' Week by 20th-Fox in the windup of the 1940 S. R. Kent Drive. This will be a testimonial to the managers at the local exchanges. M. A. Levy, drive leader, who is also Minneapolis district manager, will conduct the final branch meeting in the drive at the New York exchange on Dec. 9.

Block Named Film Critic

John Arthur Block has been named drama and film editor and critic of the *American Banker*, daily paper in the banking field.

Feature Reviews

"Second Chorus"

(Paramount)

Hollywood, Dec. 1.

BORIS MORROS' first production for the studio he served for years as music department head, a circumstance exploitable in its own right, supplies showmen the names of Fred Astaire, Paulette Goddard, Artie Shaw and his band, Charles Butterworth and Burgess Meredith for purposes of marquee display. Customers may be informed that Shaw and his band are given ample footage in which to display their syncopated virtuosity, that Astaire executes two dance rountines, one with Miss Goddard and one singly while directing an orchestra, that Butterworth contributes a comedy routine in the character he has established for himself and that Meredith departs from custom to display a talent for humor.

Music is the dominant factor in the production and in the story by Frank Cavett written for the screen by Elaine Ryan and Ian McClellan Hunter. The film tells of the careers in music of two college boys, both trumpet players, who compete by fair means and unfair for a job in Shaw's band and the favor of Miss Goddard. Associate producer Robert Stillman and director H. C. Potter have cooperated to keep the music side uppermost.

"Swing Concerto," composed by Shaw, doubtlessly is the number to be stressed in exploitation directed at the jitterbug trade. "Dig It," by Hal Borne and Johnny Mercer, is the song to which Astaire dances his most characteristic routine. Shaw and Mercer collaborated on "Would You Like to Be the Love of My Life," Bernie Hanighen collaborating with Mercer on "Poor Mr. Chisholm," a novelty number based on the character played by Butterworth.

Running time, 83 minutes. "G."* ROSCOE WILLIAMS

"The Man of the Hour"

(Trio Films, Inc.)

Maurice Chevalier, in this French film produced by Les Films Marquis, comes back to the American audiences with the charm, good humor and sprightly performance they were accustomed to in the days when the French player was an American screen favorite.

Julien Duvivier directed the picture and also wrote the screenplay in collaboration with Charles Spaak. It is a lively and entertaining yarn of the hospital electrician with a secret desire to be a vaudeville star, who after supplying blood for transfusion to a famed actress is bitten by the bug of fame, but finds public acclaim a fickle and hollow thing.

Elvire Popesco plays the famed actress capably, and Josette Day plays Chevalier's sweetheart, also possessed of stage yearnings. Both are disillusioned in their momentary spotlight, and both find themselves only too willing to return to their former lowly but happy state. Chevalier also has opportunity to play himself as a recognized vaudeville star, and in both parts renders several numbers in his infectious style.

Running time, 90 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

"Design for Murder"

(World Pictures)

The producer of the celebrated "Pastor Hall," John Boulting, on this occasion has filmed a gruesome story of a half-crazed potential murderer whose intended victim lies unconscious in a trunk, while the death blow is planned. Both trunk and victim are shipped to a remote house where the crime is to be completed, but the unexpected presence and suspicion of three other parties lead to the eventual discovery of the plot and the intended victim is rescued.

The picture is grim and heavy, definitely unsuitable for children. It was made in England with a company of British players under the direction of Roy Boulting.

Running time, 60 minutes. "A."*

**"A" denotes adult classification.*

Steinreich Promoted

Kenneth P. Steinreich, general sales manager of the V. Loewer's Gambrinus Brewery Co., and a co-trustee of Fox Theatres Corp., has been elected executive vice-president of the brewery company.

Paramount Club Meeting

Charlotte Wilkinson, Macy's fashion consultant, will be guest speaker tomorrow evening at a meeting sponsored by the Paramount Pep Club's Educational Committee for company employes.

Musicians Dispute Rests With Court

Briefs must be filed by Thursday in the appeal to the Appellate Division of the N. Y. Supreme Court by the American Guild of Musical Artists from a denial of an injunction which would have restrained the American Federation of Musicians from banning AGMA members from working with union musicians. Oral argument was heard Friday by the Appellate Division, which reserved decision.

Two former Court of Appeals judges, Frederick E. Crane and Samuel Seabury, represented the contending unions. Crane, representing AGMA, argued that a trial in the case would be useless unless AGMA members were granted a temporary injunction pending trial. He said that many instrumentalists would be unable to fulfill contracts if the order of James C. Petrillo, A.F.M. president, were not enjoined. Crane charged that Petrillo had arbitrary powers and contended that AGMA and the A.F.M. were not in competition with each other.

Crane was supported in the argument by Sidney Cohen, AGMA attorney, who asserted that the A.F. of L. had no power to decide the question of jurisdiction over the instrumentalists because both unions are autonomous.

Seabury, representing the A.F.M., declared that the order requiring instrumentalists to join the A.F.M. and leave AGMA was made necessary because the instrumentalists had formed a labor union and AGMA was a potential rival of the A.F.M. He asked the court to affirm Justice Aron Steur's denial of the injunction.

Ask Censoring of Films for Schools

MILWAUKEE, Dec. 1.—As the result of the showing of a film circulated by the German Railways Information office, Chicago, at Kosciuszko Junior Trade School here, a resolution will be submitted to the school board requiring the city motion picture commission, the official film censoring agency here, or a committee of school principals to approve all films before use in the schools or social centers.

The picture, which showed Nazi swastikas and pictures of Hitler, was jeered by various of the school's pupils and its showing suspended before the entire picture had been run.

Shipments Resumed In Texas Storm Area

DALLAS, Dec. 1.—Film shipments are again going through to the Texas Panhandle as transportation and communication lines are approaching normal after a breakdown resulting from the severe storm of early last week. The storm had isolated Amarillo and an area within a radius of 50 miles. For about two days exchanges here were completely out of touch with their accounts in the section. Eastern New Mexico was also affected.

Open Pennsylvania House

NEW FREEDOM, Pa., Dec. 1.—Lloyd Duerr and Thomas Alban have opened the 500-seat New Theatre.


For Christmas..
"NO, NO, NANETTE"
With The "Irene" Girl In
The "Tea For Two"
Broadway Musical Hit!

ANNA NEAGLE



RICHARD CARLSON

in



No, No, Nanette

The musical comedy sensation of the stage . . . screened to the favorite melodies of Vincent Youmans . . . with a happy-go-laughing cast in a carefree world of gaiety, glitter and romance!



VICTOR MATURE



ROLAND YOUNG



HELEN BRODERICK



ZASU PITTS



TAMARA



EVE ARDEN

with

RICHARD CARLSON ★ VICTOR MATURE ★ ROLAND YOUNG

HELEN BRODERICK • ZASU PITTS • EVE ARDEN

TAMARA • BILLY GILBERT • STUART ROBERTSON

Produced and Directed by

HERBERT WILCOX

RKO RADIO PICTURES

Screen Play by Ken Englund

From the Musical Comedy—"No, No, Nanette"—by Frank Mandel, Otto Harbach, Vincent Youmans, Emil Nyitray

Music by Vincent Youmans—Lyrics by Irving Caesar and Otto Harbach

LITHO U.S.

Short Subject Reviews

"The Lonesome Stranger"
(M-G-M)

There is much cause for laughter as three Western bad men, "The Killer Diller Boys," encounter "The Lonesome Stranger" and the shooting begins. That is the plot of this hilarious cartoon cleverly produced by Hugh Harman. The "Stranger," of course, conquers the bad men, as the story goes, but in no conventional manner. Running time, 9 mins.

"Beautiful Bali"
(M-G-M)

James A. Fitzpatrick's roving camera penetrates into the Balinese Island of the Dutch East Indies. The travelogue shows the natives at their work cultivating rice, and in various religious dances. The true beauty of the island has been captured by the color camera. Running time, 9 mins.

"Marine Round-Up"
(Paramount)

A deep-sea expedition to roundup queer and grotesque fish for the huge aquarium in St. Augustine, Fla., is a truly exciting adventure as seen in this Grantland Rice Sportlight. The capture at sea of the mammoth fish and the special care given them in the aquarium are seen vividly. It is a splendid "Sportlight" subject. Running time, 10 mins.

"Eugene, the Jeep"
(Paramount)

Popeye receives the creature of the title from Olive and the developments thereafter probably will be found amusing by the youngsters. Although at first delighted with the gift, Popeye soon attempts to dispose of it but without success. Running time, 7 mins.

Kansas City Gives $8,900 to 'Tin Pan'

KANSAS CITY, Dec. 1.—Considering weather, which mixed rain, snow and ice, first runs had a good week. "Tin Pan Alley" totaled $8,900 at the Esquire and Uptown, $4,000 at the former and $4,900 at the latter.

Estimated takings for the week ending Nov. 26-28:

"Tin Pan Alley" (20th-Fox)
ESQUIRE—(800) (28c-44c) 7 days. Gross: $4,000. (Average, $2,200)
"Arizona" (Col.)
"Nobody's Children" (Col.)
MIDLAND—(4,000) (35c-44c-60c) 7 days. Gross: $11,000. (Average, $9,500)
"City for Conquest" (W. B.)
NEWMAN—(1,900) (28c-44c) 7 days. Gross: $6,300. (Average, $7,000)
"You'll Find Out" (RKO)
"I'm Still Alive" (RKO)
ORPHEUM—(1,500) (28c-44c) 7 days. Gross: $5,800. (Average, $5,000)
"Sandy Gets Her Man" (Univ.)
TOWER—(2,200) (30c) 7 days. Stage: Lum & Abner & Revue. Gross: $8,500. (Average, $6,000)
"Tin Pan Alley" (20th-Fox)
UPTOWN—(2,000) (28c-44c) 7 days. Gross: $4,900. (Average, $3,000)

Rapper Named Director

HOLLYWOOD, Dec. 1.—Irving Rapper, Warner dialogue director, has been promoted to a directorship, and as his first effort will handle "Winged Victory."

Critics' Quotes . . .

"LADY WITH RED HAIR" (Warners)

Edmund Grainger deserves credit for a remarkable smooth production in consideration of the territory covered, and Kurt Bernhardt gave a clear, crisp interpretation to the story with flawless direction.—*Neil Rau, Los Angeles Examiner.*

Claude Rains does noteworthy work in the rehearsals with his find, and Miss Hopkins herself, with her ever dependable skill in portraying a character, meets the demand of a difficult role most efficiently . . . an interesting sort of picture in many ways, despite it hasn't a satisfactory climax.—*Edwin Schallert, Los Angeles Times.*

This story as a whole lacks definition. . . . Handicapped by a script which calls for a great many montage shots, and avoids a dramatic climax, Kurt Bernhardt's direction is smoothest in the scenes with David Belasco.—*Los Angeles News.*

"BITTER SWEET" (M-G-M)

Resplendent with red plush and gilt; also plumb full of pseudo hilarity, tuneful waltz airs, bustles and bonnets—and dialogue as outmoded as the story's gay nineties setting.—*Irene Thirer, New York Post.*

Lavishly but tiresomely translated to the screen. . . . Coward's music really is the only bright feature about the work . . . the stars are what music critics call in admirable voice.—*William Boehnel, New York World-Telegram.*

It's a typical MacDonald-Eddy musical, with the generous song numbers and the pretentious backgrounds overwhelming the libretto and with Miss MacDonald being very coy in her non vocal moments.—*Rose Pelswick, New York Journal American.*

A melody-filled tale done in color at its prettiest. And Jeanette MacDonald's pink-and-golden beauty is something over which the color cameras themselves seem to get a thrill, plus a desire to do a splendid job.—*Norman Clark, Baltimore News Post.*

"TUGBOAT ANNIE SAILS AGAIN" (W. B.)

The difference between Miss Dressler and Miss Rambeau makes for the difference between a memorable movie and just another flicker.—*Elsie Finn, Philadelphia Record.*

It was, it seems to us, a mistake to bring the lusty old tugboat queen back to screen life. . . . Though Miss Rambeau works valiantly to imitate the Dressler mood and mannerisms, the fact remains it is an imitation.—*Mildred Martin, Philadelphia Inquirer.*

The picture is largely a one-woman job and Miss Rambeau does nobly by the assignment.—*Henry T. Murdock, Philadelphia Ledger.*

Masters Slated as U. A. Western Head

(*Continued from page* 1)

that he was for several years a sales official in Boston.

Schlaifer, a veteran in the industry, has been with United Artists since 1928 except for a two-year interlude from 1932 to 1934 when he served as general sales manager for Universal. He was assistant to Al Lichtman at United Artists from 1928 to 1932, and returned to the company in 1934 as Western general sales manager, having been elected a vice-president last year. Prior to 1928, he served in executive distribution and theatre posts with Universal. He first entered the industry in 1912.

'Dictator' Terms in S. A. 70% of Gross

(*Continued from page* 1)

ture ever released by it. The deal was made with Clement Lococo and for a simultaneous premiere in three Buenos Aires theatres, Dec. 26. The premiere houses are: the Opera, Suipacha and Normandie.

Other deals, all on similar terms and including a 70-30 per centage, are with the Rex, in Colon, Panama; a four-theatre premiere at Soerabaja, Java, at the Capitol, Luxor, Kranggan and Flora, and with the Shaw circuit at Penang, Straits Settlements.

Operators Win Suit Over ITOA Contract

(*Continued from page* 1)

Mario S. DiPirro to pay $729 in back wages, plus interest and costs.

Eight theatres, including the Taft, refused to recognize the right of the I.T.O.A. to negotiate wage increases for them and resigned from that organization when the increase and vacation were agreed upon. Justice DiPirro struck out the answer served by the defense as "sham and frivolous" and granted summary judgment. Joseph D. Basson, president, brought the suit on behalf of the union.

Mexico Plans Aid To Film Industry

(*Continued from page* 1)

would be of mutual benefit—Hollywood getting low costs and Mexico a thrust forward for her picture business, yet in such a way that the prestige of the industry would not be hurt.

This proposition is expected to go forward with the turn of the year, by which time, it is hoped, the new Government will have settled down to business, so that the political and economic situations will be cleared up and business will have a reasonable idea of where it is going.

Hughes Film Under Way

HOLLYWOOD, Dec. 1.—"The Outlaw," first Howard Hughes film for 20th Century-Fox release, is expected to be completed for release in February or March. It will star Walter Huston. Shooting is currently under way on location in Arizona.

'Pushers,' Fields $12,000, Milwaukee

MILWAUKEE, Dec. 1.—Week's best grosser was $12,000 at the Riverside with Shep Fields' orchestra and "The Leather Pushers." "Tin Pan Alley," playing Fox's Wisconsin and Palace simultaneously at higher admissions, grossed $9,800 and $6,800, respectively, for eight days.

Estimated takings for the week ending Nov. 27-28:

"The Letter" (W. B.)
"Mexican Spitfire Out West" (RKO)
WARNER—(2,400) (30c-40c-55c) 8 days. Gross: $7,300. (Average, $4,500)
"Tin Pan Alley" (20th-Fox)
"Blondie Plays Cupid" (Col.)
PALACE—(2,400) (44c-65c) 8 days. Gross: $6,800. (Average, $4,000)
"Escape" (M-G-M)
"Dulcy" (M-G-M)
STRAND—(1,400) (30c-40c-55c) 8 days. Gross: $2,500. (Average, $1,500)
"Tin Pan Alley" (20th-Fox)
"Charter Pilot" (20th-Fox)
WISCONSIN—(3,200) (44c-65c) 8 days. Gross: $9,800. (Average, $5,500)
"The Leather Pushers" (Univ.)
RIVERSIDE—(2,700) (30c-40c-50c) 7 days. Stage: Shep Fields. Gross: $12,000. (Average, $6,500)

'Tin Pan' at $12,000 Strong in Baltimore

BALTIMORE, Dec. 1.—The holiday business around Thanksgiving time proved to be the best in years in Baltimore. It continued strong throughout the week. "Tin Pan Alley" at the New took $12,000 and "The Letter" at the Stanley did $19,000.

Estimated takings for the week ending Nov. 27:

"Bitter Sweet" (M-G-M)
CENTURY—(3,000) (15c-28c-44c) 7 days. Gross: $14,000. (Average, $10,000)
"Arise, My Love" (Para.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days, 2nd week. Gross: $10,000. (Average, $9,000)
"Tin Pan Alley" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $12,000. (Average, $7,000)
"The Letter" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $19,000. (Average, $12,000)
"You'll Find Out" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Leni Lynn topping a variety stage show; "Music Hall Varieties." Gross: $16,000. (Average, $14,000)

'Nellie Kelly' Gets $8,500, New Haven

NEW HAVEN, Dec. 1.—"Little Nelly Kelly" and "Hullabaloo" at the Loew-Poli took $8,500 and moved to the College. Second week of "Escape" and "Blondie Plays Cupid" grossed $2,900 at the College.

Estimated takings for the week ending Nov. 27:

"Escape" (M-G-M)
"Blondie Plays Cupid" (Col.)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,900. (Average, $2,700)
"Little Nelly Kelly" (M-G-M)
"Hullabaloo" (M-G-M)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $8,500. (Average, $8,000)
"Captain Caution" (U. A.)
"Dancing on a Dime" (Para.)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $3,000. (Average, $4,000)
"South of Suez" W. B.)
"Always a Bride" (W. B.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $3,800. (Average, $5,000)

Rites for Mrs. McClintick

KANSAS CITY, Dec. 1.—Funeral services were held late last week for Mrs. Ada Parsons McClintick, 56, cashier at the Aladdin Theatre here for years, and sister of one of the owners, William Parsons, who died early in the week. Burial was at Joplin, Mo.

U. S. Denies It Plans to Probe Air 'Monopoly'

WASHINGTON, Dec. 1.—Department of Justice officials over the weekend said there was nothing in reports that the anti-trust division was preparing to investigate monopoly in broadcasting on the basis of the FCC network report. FCC hearings on the report of its monopoly committee start tomorrow.

It was explained that the Justice Department "has been in and out" of the radio situation for a number of months and that no new action was planned at this time.

Officials' denial of any change in the situation was evoked by reports that Assistant Attorney General Thurman Arnold would initiate an investigation as soon as adequate personnel became available, and that the FCC monopoly committee report had been transmitted to the department without recommendation but with the suggestion it be studied to determine whether any violation of law had occurred.

With a new investigation in the food trades just instituted, and with other important actions in the mill, including the building trades and oil situations, Department officials said it might be a long time before personnel was released for an inquiry into broadcasting, if such a probe was decided upon at all.

'America' Plagiarism, Coast Suit Charges

LOS ANGELES, Dec. 1.—Alfred H. Arrons, 80-year-old song writer, has filed suit here charging plagiarism of his song, "America, My Home Is So Fair," in Irving Berlin's "God Bless America." In addition to Berlin, defendants are Irving Berlin, Inc., Kate Smith, Ascap, NBC, CBS and 100 John and Jane Does. He asks the court to fix damages.

Gene Raymond Here

Gene Raymond arrived yesterday and will attend the concert of his wife, Jeanette MacDonald, at White Plains Community Center, Wednesday night.

Proposed Air Rules Attacked in Senate

Washington, Dec. 1.—Proposed Federal regulation of broadcasting would "strangle, if not impose a death sentence upon the established networks," Senator Gurney of South Dakota told the Senate on Friday. Referring to the hearings on FCC monopoly report, starting tomorrow, Gurney declared the report had been "generally discredited because of its inaccuracy and demonstrable bias." He charged that if the FCC adopts the proposed rules it would exceed its authority.

Off the Antenna

IN the "Salesorials" column of the *Dynamo,* house organ for 20th Century-Fox, appears a comparison of the relative values of newspaper and radio for film exploitation. After declaring that exploitation broadcasts for pictures are "becoming as common as quiz programs," it continues: "There is no way of telling just what bearing such constant exploitation has on the box-office. One thing is certain: a poor broadcast will keep people from box-offices in that the broadcast will not promote further interest in the picture it was designed to exploit. That is where newspaper advertising has an advantage. No newspaper display ad ever turned away a potential customer."

• • •

Purely Personal: *John Donahue has been named NBC-Blue salesman in the Detroit office by Edgar Kobak, vice-president in charge of Blue sales. Robert White, who previously represented the Red and Blue, will handle only the Red in the future. Donahue has been sales contact man for Transamerican for the past two years. . . . Ken R. Dyke, NBC sales promotion manager, leaves today for Cincinnati and tomorrow will address both a sales meeting of the Andrew Jergens Co. in that city and the NBC public service forum meeting in Chicago. . . . H. V. Kaltenborn, NBC commentator, will act as special interrogator on Thursday's "America's Town Meeting of the Air," over NBC-Blue. . . . Charles C. Barry of NBC in Washington has been named director of the Mile-O-Dimes division of the "Fight Infantile Paralysis" campaign and has taken a leave of absence from NBC until Jan. 30 to devote full time to the activity. . . . Bill Small, tenor, is the latest addition to the cast of the "1100 Review" over WOV.*

• • •

The Pan-American movement is receiving support from XERH, Mexico City, which has installed "Pan-American Hour" as a regular Tuesday night feature. The program urges unity, uses Pan-American music, advertises tourist interest in Mexico. It is sponsored by the Mexican Government's tourist department. The station is owned by the magazine *Hoy*.

• • •

Mutual acquired its 163rd affiliate yesterday when KXFJ, Grand Junction, Col., joined the network. The station operates on 1,200 k.c. with 250 watts, unlimited time. . . . Another Mutual station, WAIR, Winston-Salem, N. C., which now operates on 1,250 k.c. days only, will shift to 1,310 k.c. with 250 watts, full time, in February, and will make another frequency shift, to 1,340 k.c. during the reallocation under the Havana Treaty.

• • •

Program News: *"Voice of Firestone" will mark its 12th year on NBC-Red tonight with an all-request program at 8:30 P.M. . . . Old Gold is now sponsoring Dick Fishell's sports resumes over WHN Mondays through Saturdays. . . . Modern Industrial Bank has signed a 52-week contract with WMCA calling for 24 quarter-hour periods weekly.*

Ticket Broker Law Upheld on Appeal

Constitutionality of the New York State law restricting all ticket brokerage firms to a maximum advance of 75 cents per ticket was upheld on Friday by the Appellate Division of the Supreme Court. The decision, which unanimously affirmed a ruling of Supreme Court Justice J. Sidney Bernstein, denied an application of seven New York ticket brokers to restrain the enforcement of the law.

No opinion was handed down by the court. The ticket brokers had contended that the law was unconstitutional because it was arbitrary in nature, and that the theatre was not a subject of public interest. William A. Hyman, attorney for the plaintiffs, announced that he would appeal the decision to the State Court of Appeals.

To Remodel Exchange

INDIANAPOLIS, Dec. 1.—The local 20th Century-Fox exchange building is to be remodeled. Jack Lang and E. H. McFarland of the home office were here recently in connection with the plans.

Buy in Manheim, Pa.

MANHEIM, Pa., Dec. 1.—The Orbet Theatres, Inc., of Shillington, Pa., have bought the Auditorium from William F. and Margaret Kneller for $50,000.

To Reissue Series Of French Pictures

A series of 12 French films previously released, is ready for distribution by the newly formed Datlowe Productions, of which J. J. Balaber is executive director.

The films include: "Le Bonheur," "The Orderly," "The Barber of Seville," "The Bells," "Ciboulette," "Marie Chapdelaine," "The Last Millionaire," "Charlemagne," "Pension Mimosa," "Les Petits," "Lac-aux-Dames" and "Mysteries of Paris."

Defense Affecting Shipments Abroad

Erpi's shipments of equipment abroad have begun to feel the pinch of the national defense program, according to E. S. Gregg, general foreign manager of the company.

Delivery schedules, especially, are subject to delay and alteration, Gregg says.

RKO Sued Over Film

Seeking an injunction to restrain the exhibition of the picture "I'm Still Alive," and to bar the use of her name in advertising, Helen Twelvetrees on Friday filed suit in the N. Y. Supreme Court against RKO. The complaint asks $100,000 damages. Miss Twelvetrees claims that the film describes her life "with certain libelous and fictionalized exceptions."

Radio to Get Wider Scope In War Plans

WASHINGTON, Dec. 1.—The Defense Communications Board tonight broadened the scope of the participation which will be permitted broadcasters in the development of plans for war-time control of communications.

In addition to their own particular advisory committees—domestic broadcasting and international broadcasting—the board announced that broadcasters also may be represented on the Industry Advisory Committee "whenever a problem involving domestic or international broadcasting shall arise."

An invitation to name a representative to the International Broadcasting Committee was extended the National Association of Broadcasters, not originally included in the group from which nominations were sought.

Representation of the broadcasters on the industry advisory committee will give them a voice in the most important group working under the defense board. The duties of that committee include the submission of expert advice to the Board and recommendations on such problems as come before it. It also will be a liaison link between the board and the industry in the handling of questions of policy.

Open Air Monopoly Hearings at Capital

WASHINGTON, Dec. 1.—Members of the Federal Communications Commission will meet tomorrow to listen to two days of criticism of the chain broadcasting report submitted last June by the monopoly committee headed by former Commissioner Thad H. Brown.

Representatives of the networks are scheduled to appear to present their views on the report, which was the basis of the lengthy investigation conducted last Summer by the Senate Interstate Commerce Committee when it was considering Brown's nomination for another term on the commission.

Both Columbia Broadcasting System, whose Paramount deal was discussed at length and unfavorably in the report, and the National Broadcasting Co., whose 1932 anti-trust suit strategy was not included but was exposed by the Senate committee, are expected to contend through counsel that the FCC committee's findings regarding the domination of the chains are not based on proved fact. Mutual Broadcasting System also will be represented.

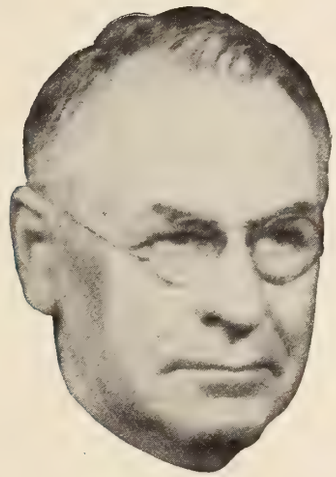
Several other organizations of broadcasters also are expected to be represented during the hearings.

Buys N. C. Theatre

NORTH WILKESBORO, N. C., Dec. 1.—J. W. Allen, of North Wilkesboro, has purchased the New Orpheum here from Receiver Kyle Hayes for $11-000. The theatre is operating under Allen's personal direction.

A practical working tool for every projectionist

F. H. RICHARDSON'S BLUEBOOK OF PROJECTION



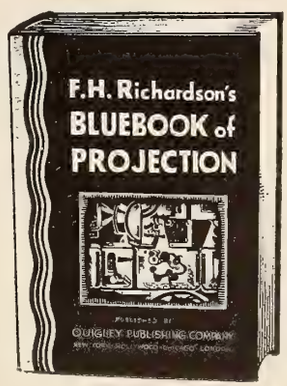
NEWLY REVISED

with

SOUND TROUBLE CHARTS AND ALPHABETICAL INDEX

The newly revised Bluebook does a threefold job: (1) It gives a detailed description of the construction, wiring and functioning of every piece of sound and projection apparatus used in a modern projection room. (2) It gives careful instructions on the operation and maintenance of this equipment. (3) It is a quick and effective trouble-shooter with sound trouble-shooting charts that enable the projectionist to spot and repair sudden breakdowns both in the projection and sound apparatus. The new edition is handy to keep and handy to use, with an alphabetical index system for quick, easy reference.

You will find the revised Bluebook the most complete treatise of its kind and a sure solution to every projection problem.



ORDER TODAY
$7.25 POSTPAID

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER - NEW YORK

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER - - NEW YORK

Here's my check for $7.25. Please send me a copy of Richardson's Bluebook of Projection. (Revised Sixth Edition.)

Name _____

Address _____

City _____ State _____

RESERVE POWER

CAMERAMEN depend on the extra ability of each Eastman negative film to meet inevitable emergencies, and by so doing to help maintain exacting shooting schedules. This reserve power always has distinguished Eastman raw films.
Eastman Kodak Company, Rochester, N.Y.

J. E. BRULATOUR, INC., *Distributors*
Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 108 NEW YORK, U. S. A., TUESDAY, DECEMBER 3, 1940 TEN CENTS

O'Shea Named New M-G-M Division Head

Rodgers Makes General Sales Realignment

M-G-M yesterday announced the formation of a new sales division to be headed by E. K. O'Shea, the appointment of four new district managers and a number of promotions from the ranks involving new branch managers.

The realignment was made by William F. Rodgers, M-G-M general sales manager at the company's national sales meeting in Chicago over the weekend and is believed to be designed to meet the new selling conditions which will be imposed by the operation of the consent decree next season. The changes will become effective Jan. 1, or as soon thereafter as practicable.

M-G-M is the second of the five companies to realign its sales organization in anticipation of decree requirements, Warners having been the first, when Gradwell L. Sears, general sales manager, effected similar changes last week. Twentieth Century-Fox home office and studio executives will meet in Hollywood next month to consider decree effects on that company's sales and production operations.

The new M-G-M sales division under O'Shea, former New York district manager for the company, will

(*Continued on page 5*)

Deny Schlaifer Out; Masters Promoted

Arthur W. Kelly, vice-president of United Artists in charge of distribution, yesterday denied that Haskell Masters, Canadian Division Manager, would become Western general sales manager of the company, as was reported, and stated that L. J. Schlaifer, who is still Western general sales manager, has not resigned. Schlaifer is on vacation. Kelly states that Masters is being considered for a post with broader duties.

Reviewed Today

"Little Men" is reviewed on Page 5. Reviews of "The Bank Dick" and "San Francisco Docks," from Hollywood, and of "The Son of Monte Cristo" are on Page 6.

London Theatre Business 25% of Normal, Says Rose

Production Continuing; Provinces Suffering Only Slight Loss

By SHERWIN A. KANE

David Rose, Paramount's managing director for England, who arrived from Europe late last week, stated yesterday theatre business in the London area is now only 20 to 25 per cent of normal, with about 200 theatres closed and about 1,600 still operating, and that Paramount's British business was better by 10 per cent than last year. Also, that despite the war, the British people prefer straight entertainment films rather than propaganda.

Theatres present nine performances weekly consisting of daily matinees, and two performances on Saturdays and Sundays. Admissions scales in the West End area are being maintained at $2 top.

"England will not only survive but be victorious," Rose stated. Effects of the bombings on large British cities, on the British people and their business activities are negligible and appear overemphasized in the American press. "Business as usual" is the rule rather than the exception and the morale of the people is high and strong, Rose said.

Production in England by American companies is continuing, and the great-

(*Continued on page 6*)

Grosses Up After Letdown With 'Tin Pan,' 'Police' Strong

Grosses held up strong on Broadway over the weekend following a letdown during last week.

The second week of Sunday shows on Broadway's legitimate stages was pronounced a success by James F. Reilly, executive secretary of the League of New York Theatres. Eight shows, in addition to "It Happens On Ice" which has always had Sunday performances, gave Sunday night shows, and one had a matinee in addition.

"Tin Pan Alley" with a stage show continued to pile up big grosses at the Roxy, drawing an estimated $36,200 for the first four days of the second week. Another big holdover was "North West Mounted Police" with Glen Gray's band on the stage of the Pramount which drew an estimated $18,000 over the weekend and should garner about $35,000 for the fourth week which ends tonight.

"Bitter Sweet" with a stage show was good for an estimated $51,000 for the first four days of the second week at the Radio City Music Hall, and will

(*Continued on page 5*)

Patterson to Be on Board Of A.A., Hazen on Budgets

Richard C. Patterson, chairman of the board of RKO, it was reported yesterday, is to become a member of the board of directors of the American Arbitration Association.



R. C. Patterson

Also, Joseph Hazen, of the Warner Bros. home office legal department, will be the "Big 5" representative on the New York case consent decree arbitration budget committee, C. V. Whitney, president of the A. A. A., announced. Others on the bud-

(*Continued on page 5*)

Deny Music Strike To Support Ascap

CHICAGO, Dec. 2.—That a general sympathy strike of musicians to aid ASCAP in its fight against the networks impends is officially denied by union headquarters here. Officials of the musicians' union say they have no knowledge of such an eventuality.

NEW ORLEANS, Dec. 2.—Giuseppe Pipitone, head of the local musicians' union, said today following conclusion of the A. F. of L. convention, that he knew nothing of a reported general musicians' strike in support of Ascap against radio networks.

Henry Dupre, WWL program director, said that there was no threat of a strike in this city.

Master Urges Dismissals in B & K Decree

Gov't to Move for N. Y. Decree Substitution

CHICAGO, Dec. 2.—Special Master Edgar Eldredge today recommended the dismissal of all defendants in the Government's conspiracy case involving charges of violations of the Balaban & Katz consent decree in a report submitted to Federal Judge Charles E. Woodward.

The report, which must be approved by Judge Woodward before becoming effective, pointed out that the Government has abandoned some of the charges contained in the original complaint. The Government has until April 1 to enter objections to the findings.

Government attorneys in New York stated recently that they would move for dismissal of the B. & K. consent decree violation charges and the substitution for that decree of the consent decree ending the New York Federal anti-trust suit, pursuant to an agreement reached earlier with Paramount in the New York case.

Under the settlement, B. & K. Management Corp. is to be fined $10,000 for decree violation.

Col. Seeks U. S. Suit Dismissal

A motion to dismiss the Government's New York anti-trust suit has been filed in U. S. District court here by Columbia and will be argued before Federal Judge Henry W. Goddard on Thursday.

The motion to dismiss was made by Schwartz & Frohlich, Columbia counsel. If granted, it would have the effect of ending the anti-trust suit insofar as the three non-consenting companies are concerned.

Columbia, United Artists and Universal will oppose the Government's right to file an amended complaint

(*Continued on page 5*)

Curtis of Eastman In Army Air Corps

ROCHESTER, Dec. 2.—Edward Peck Curtis, World War flyer and motion picture film sales manager for Eastman Kodak Co., has returned to the service of the United States Army air arm. He will be commissioned as a major in the Air Corps and will work in the Plans and Operations Section.

Good Guess

Albany, Dec. 2.—Gov. Herbert H. Lehman of New York rang the bell for a second year with a budget estimate last February of $300,000 receipts by the censor board for the fiscal year ending June 30, 1940. Gross receipts were $311,800. The preceding year Governor Lehman had estimated $300,000 and the total was $298,023.50.

Warners Complete Picture in England

Warners have completed production of "An Empire Is Built" at the Teddington Studio near London, according to reports to the home office. The film, starring John Gielgud and Diana Wynyard, is expected to arrive here Dec. 14. It was directed by Thorold Dickinson.

Walker Confirms Date

PHILADELPHIA, Dec. 2.—Definite word has been received from Frank C. Walker, Postmaster General, that he would be present at the sixth annual banquet of the Philadelphia Variety Club Dec. 12 at the Bellevue-Stratford, it was announced by Ted Schlanger, chairman.

Grainger to Gloversville

James R. Grainger, Republic president, left for Gloversville, N. Y., last night to negotiate a product deal with the Schine circuit. He is due back Thursday.

Personal Mention

MAURICE SILVERSTONE arrived in New York from the Coast yesterday.

•

LEON D. NETTER, Paramount home office theatre executive, left yesterday on a 10-day business trip to Atlanta, Jacksonville and Miami.

•

DAVE PALFREYMAN of the M.P.P.D.A. has returned from Indianapolis.

•

F. J. A. MCCARTHY, Eastern division sales manager of Universal, is back from Boston and Cleveland.

•

JAMES MULVEY has returned from Coast.

•

STEVE PALLOS, ALEXANDER KORDA representative, has returned from a four week's business trip through the West.

•

B. B. KREISLER, Universal short subject sales head, has returned from Cleveland.

•

JOHN B. KIMMIS, manager of Fabian's Staten Theatre, New Dorp, S. I., has been appointed first lieutenant in the New York National Guard.

•

LARRY GRAVER, Warner Theatres Philadelphia district manager, is at the Lankenau Hospital for a tonsil operation.

•

GLENN NORRIS, 20th Century-Fox salesman in Washington, and Mrs. Norris recently became the parents of a 10-pound girl.

LEO SPITZ arrived here yesterday from Chicago.

•

CHARLES SCHWARTZ of Schwartz and Frohlich is due back tomorrow from the Coast.

•

WILLIAM J. HEINEMAN, Western division sales manager for Universal, has returned from Denver.

•

DAVID ROSE, MAURICE BERGMAN, SAM SHAIN, MORGAN KAUFMAN, ERNO RAPEE, MORRIS KINZLER, RALPH AUSTRIAN, RUSSELL HOLMAN, OWEN DAVIS, WILLIAM ORR, DAVID LEVY, MAX A. COHEN, J. J. UNGER and CHARLES M. REAGAN having lunch yesterday at Nick's Hunting Room in the Astor.

•

WILLIAM A. SCULLY, STANTON GRIFFIS, BARNEY BALABAN, HARRY BUXBAUM, JOSEPH LEE, ROBERT WEITMAN, JOHN D. HERTZ, JR., ARTHUR LOEW, CLAYTON BOND, SIDNEY PHILLIPS and JOHN GOLDEN at Sardi's for lunch yesterday.

•

IRVING BERLIN, WILLIAM and LOU BRANDT, JOSEPH PINCUS and JOSEPH MOSKOWITZ lunching yesterday at Lindy's (51st St.).

•

HARRY BUCKLEY, EMANUEL SILVERSTONE, AL MARGOLIES, ABE MONTAGUE, ARTHUR SILVERSTONE and LOU WEINBERG at Lindy's (next to the Rivoli) yesterday for lunch.

•

CHARLES PAINE, JACK GOETZ, MAURICE FREEMAN and MARTIN MOSKOWITZ lunching at the Tavern yesterday.

•

A. A. SCHUBART, manager of RKO exchange operations, is in Philadelphia.

•

ANDRE R. HEYMANN has returned from a 10-day trip to Hollywood.

•

MR. and MRS. RALPH I. ZACKIM have returned from a honeymoon at Virginia Beach. She is the former FLORENCE STEINBERG, secretary to HARRY GITTELSON at RKO.

Postpone Schenck Trial

Federal Judge William Bondy yesterday postponed trial of Joseph M. Schenck and Joseph H. Moskowitz until Dec. 9 on request of both sides. The U. S. attorney's office revealed that trial of the tax action would not start until early in February, since Harold Corbin, Schenck's attorney, would be engaged in another case until that time.

KAO Sets $3.50 Dividend

The board of directors of Keith-Albee-Orpheum Corp. has declared a dividend out of operating surplus of $3.50 per share on the seven per cent cumulative convertible preferred stock, for the quarters ended June 30 and Sept. 30, 1938, payable Dec. 19 to stockholders of record Dec. 13.

Pathe Votes 30 Cents

The board of directors of Pathe Film Corp. has declared a dividend of 30 cents per share on the common stock, payable Dec. 30 to stockholders of record Dec. 10.

Nominate Academy Governing Board

HOLLYWOOD, Dec. 2.—Ballots for the annual election of Academy of M. P. Arts and Sciences board of governors will be sent out Dec. 12. Three from each branch are to be selected, and they will elect officers. Other nominations may be made by petition. The polls close Dec. 20.

Meanwhile, officers are planning for the 1941 Academy Awards, with Walter Wanger, president, authorized to ask the Screen Actors, Directors and Writers guilds to again participate on the awards committee.

Nominations for the board of governors are: actors, Edward Arnold, Fay Bainter, Donald Crisp, Bette Davis, Greer Garson, Gene Lockhart, Tyrone Power, Rosalind Russell, James Stewart; directors, Frank Capra, Michael Curtiz, C. B. deMille, Garson Kanin, Frank Lloyd, Mervin LeRoy, Ernst Lubitsch, Sam Wood, William Wyler.

Producers, Henry Blanke, Y. Frank Freeman, Jesse L. Lasky, Sol Lesser, Kenneth MacGowan, Joe Pasternak, David O. Selznick, Walter Wanger, Darryl F. Zanuck; writers, Sidney R. Buchman, Howard Estabrook, James Hilton, Talbot Jennings, Jane Murfin, Norman Reilly Raine, Robert Riskin, Allan Scott, Carey Wilson.

Science branch of the Academy, Bernard Herzbrun, Jack Otterson, Farciot Edouard, Ray Wilkinson, John O. Aalberg, Nathan Levinson, Thomas T. Moulton, Anne Bauchens, Harold J. McCord.

Fabian Plans Annual Dinner Dance Jan. 16

The Staten Island Fabian Theatres employes second annual dinner dance will be held Jan. 16 at the Meurot Club. The party this year will take the form of a barn dance.

The following committee has been named to arrange the affair: John Kimmis, entertainment; Elihu Glass, advertising; Henry Suchman, tickets; Edgar Goth, publicity; Arthur Lane, house; Roy Sherker, purser; Sig Kasse, refreshments.

Ostrow with 20th-Fox

HOLLYWOOD, Dec. 2.—Lou Ostrow was signed today by 20th Century-Fox as producer.



MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

THE PAYING PUBLIC WANTS...



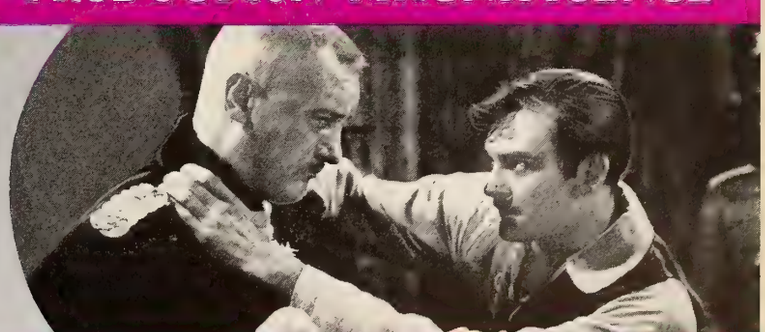
ROMANTIC INTRIGUE



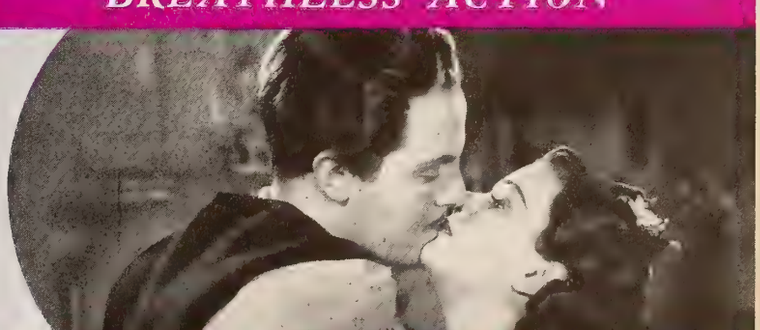
EXCITING SWORD-PLAY



PRODUCTION MAGNIFICENCE



BREATHLESS ACTION



TORRID LOVE SCENES

Edward Small

gives you ALL of them in...

United Artists' Great Attraction for NEW YEAR'S!



THE SON OF MONTE CRISTO

More thrilling, more romantic than THE COUNT OF MONTE CRISTO!

Edward Small presents

The SON OF MONTE CRISTO

starring

LOUIS HAYWARD • JOAN BENNETT

with GEORGE SANDERS

FLORENCE BATES • MONTAGU LOVE

screenplay by George Bruce · directed by Rowland V Lee

a Rowland V. Lee production

Released thru UNITED ARTISTS

O'Shea Named New M-G-M Division Head

(Continued from page 1)

be known as the Central division. It will consist of the Buffalo, Cleveland, Detroit and Pittsburgh offices, headed by John J. Maloney, district manager; the Cincinnati, St. Louis and Indianapolis offices, headed by Harris P. Wolfberg, district manager, and the Kansas City, Memphis and Oklahoma City offices, headed by the newly appointed district manager, Burtus Bishop, Jr.

The other new district managers are: John P. Byrne, in charge of the Des Moines, Omaha, Denver and Salt Lake City offices; Rudolph Berger, in charge of the Washington and Charlotte offices, and John J. Bowen, in charge of New York and New Jersey.

Under the realignment, Thomas J. Connors, division manager, will supervise the sales districts headed by Bowen, Berger, Charles E. Kessnich, Maurice N. Wolf, the Philadelphia office headed by Robert Lynch and the Canadian offices; and Edward M. Saunders, division manager, will supervise the districts headed by Byrne, John E. Flynn and George A. Hickey.

Wolf's district includes the Boston, New Haven and Albany offices; Kessnich's, Atlanta, Dallas and New Orleans; Flynn's, Milwaukee, Chicago and Minneapolis, and Hickey's Los Angeles, Seattle, Portland and San Francisco.

Other promotions include: Thomas J. Donaldson, formerly New Haven branch manager, to branch manager at Boston succeeding Byrne; Ralph Pielow, formerly Albany branch manager, to branch manager at New York, succeeding Bowen; John S. Allen, formerly Cincinnati salesman, to branch manager at Washington, succeeding Berger; Bryan D. Stoner, formerly Cleveland salesman, to branch manager at Pittsburgh, succeeding Bishop; Maurice Goldstein, formerly Boston salesman, to branch manager at New Haven, and Herman Ripps, formerly New York-New Jersey salesman, to branch manager at Albany.

M-G-M points out that all of the appointments have been made from the ranks and that the further vacancies created by the promotions of salesmen also call for the advancement of available personnel within the organization.

Grosses Up After Letdown of Week

(Continued from page 1)

be followed Thursday by "Thief of Bagdad." "The Philadelphia Story" is scheduled to go into the Music Hall Dec. 26.

At the Strand, "The Letter" with Ozzie Nelson's band and Harriet Hilliard on the stage grossed an estimated $24,300 for the first three days of the second week, and will be held for four weeks. The second week of "Seven Sinners" at the Rivoli was good for an estimated $16,500. At the Rialto, "The Ape" drew an estimated $4,000 for five days and was followed Saturday by "Dark Streets of Cairo." The second week of "Angels Over Broadway" grossed an estimated $5,500 at the Globe with "Blackout" opening there Saturday.

Feature Review

"Little Men"

(RKO)

GENE TOWNE and Graham Baker have brought Louisa May Alcott's famous novel, "Little Men," to the screen with all the mid-Victorian trimmings and Elsie, the Borden cow, for extra flavoring and extra exploitation.

The colorful activities of pitchmen and petty swindlers are engagingly portrayed with George Bancroft as Major Burdle first selling genuine engraved protraits of George Washington (on a three-cent postage stamp) for a dollar and, later, touring the country with a home-made brew guaranteed to cure the liquor habit. A well-selected cast of children—teen age and younger—perform ably and add many sentimental touches to the film.

Kay Francis, who conducts a model school; Jack Oakie, who will accept any opportunity to make money, provided it's dishonest, Bancroft and Charles Esmond, as husband of Miss Francis, head the cast, while Jimmy Lydon, as Dan, and Ann Gillis, as Nan, play the juvenile leads.

Oakie brings Dan, a year-old infant, to Bancroft. At first reluctant to assume charge of an infant, Bancroft later comes to love the boy and brings him up as a son. When the authorities step in to insist on an education for Dan, Bancroft takes him to a private boarding school conducted by Miss Francis and Esmond. The latter entrusts all his money to Bancroft who deposits it in a bank. When the bank goes insolvent, Bancroft makes an unsuccessful effort to steal some money to make it good, and finally Oakie surrenders so that Miss Francis can get the reward money offered for his capture.

Norman Z. McLeod directed from a screen adaptation prepared by Mark Kelly and Arthur Caesar. It's a pleasant story for the whole family.

Running time, 83 minutes. "G."* EDWARD GREIF

*"G" denotes general classification.

Patterson to Be On Board of A.A.A.

(Continued from page 1)

get committee will be P. M. Haight, and Judge Van Vechten Veeder, chairman of the arbitration appeals board, with Lucius Eastman as Haight's alternate. Eastman is chairman of the A.A.A. board and Haight is a member of the A.A.A. administrative committee. A chairman has not yet been chosen.

Offers of cooperation in the new industry arbitration system by various exhibitor groups such as National Allied and Allied of New Jersey (Lee Newbury, president) was announced yesterday by Paul Felix Warburg, chairman of the film arbitration administrative committee.

Myers Pledges Support

In communications to J. Noble Braden, executive secretary of the A.A.A., Abram F. Myers, Allied board chairman and general counsel, assured that Allied stands ready "to assist in any way possible" in facilitating the organization of the arbitration machinery for the industry but pointed out that Allied's assurances of cooperation did not "imply approval of all the provisions of the consent decree."

Myers included a list of heads of all regional Allied organizations with an invitation to the A.A.A. to call upon them for aid whenever needed.

Allied's offer comes as "extremely good news to the administrative committee which is now completing its plans for organizing the 31 local arbitration boards in the industry," said Warburg.

Col. Seeks U. S. Suit Dismissal

(Continued from page 1)

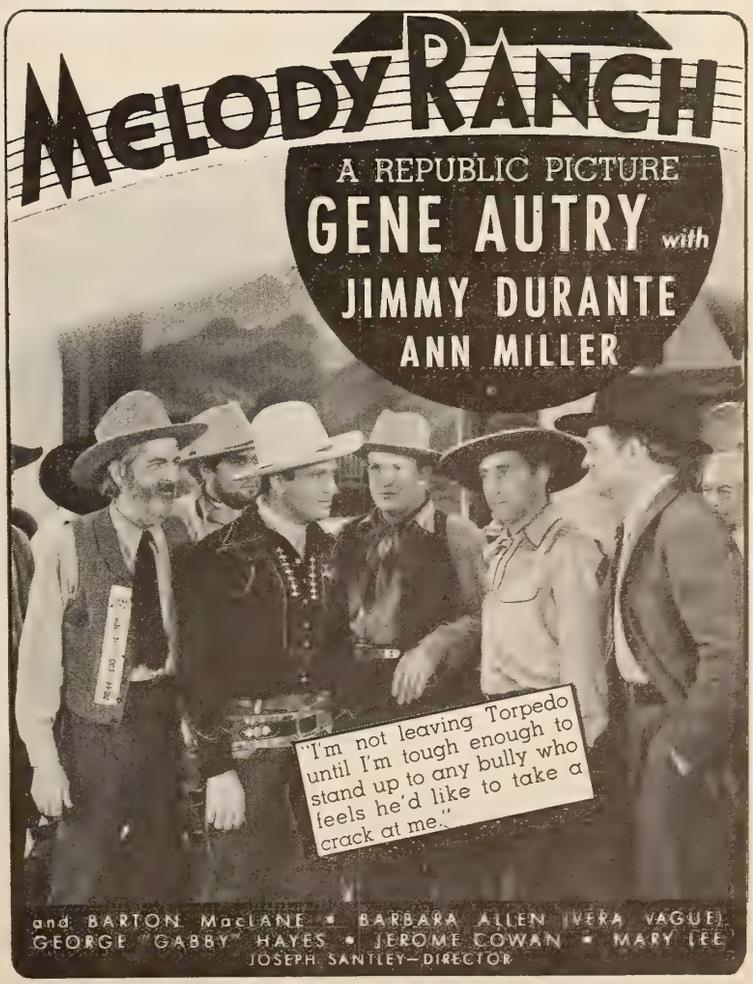
against them at a hearing before Judge Goddard, also on Thursday, if the Columbia motion to dismiss the original complaint is denied.

The Columbia motion points out that Assistant U. S. Attorneys General Thurman Arnold and Paul Williams stated at the time the Government's suit was filed that the three non-theatre owning companies had been made defendants only in a subsidiary sense, that they were, in effect, regarded only as accessories to a monopoly in the industry.

Columbia then points out that the consent decree, itself, makes no reference to the existence or discovery of any monopoly whatever in the industry. Also cited are the statements of James Hayes, assistant attorney general, in support of the consent decree at the hearing before Judge Goddard that the three non-consenting companies control together only 15 per cent of the business and the assets of all three do not equal the assets of any one of the five consenting companies.

Goldman Rites Held

Funeral services were held yesterday from his home in Astoria, L. I., for Al Goldman, 42, assistant to Morris Kaplan in the tabulating department of the 20th Century-Fox home office, who died suddenly Saturday night of a heart attack.



Present Web System 'Best,' FCC Informed

WASHINGTON, Dec. 2.—Lawyers for the networks told the Federal Communications Commission today that the present network system is the best which experience has devised and that interference with the system might prove disastrous to broadcasting.

They admitted, however, that while it may be possible to start a new network it would be difficult to do so.

These arguments were made as the FCC began hearings of counsel upon the report of the FCC's monopoly committee.

Appearing for the networks were Phillip J. Hennessey, counsel for NBC, and John J. Burns, counsel for CBS.

They stated that the FCC had no authority to regulate contractual relations between the networks and affiliates. Talford Taylor and Joseph C. Raugh, counsel for the FCC, argued to the contrary. Taylor stated that the committee's report did not represent the FCC's views but that the committee's proposals represented desires of Mutual for changes in the network setup put forward as specific proposals for consideration.

Camacho Inaugural Mixed Somewhere

No explanation was forthcoming yesterday from any of the networks regarding the sudden interruption of the broadcast of President Avila Camacho's inauguration address on Sunday. Officials of the A. T. & T. blamed electrical storms for the interruption, but the networks expressed skepticism about this reason.

CBS and Mutual started to carry the speech at 12:16 p.m., with English interpolations, and were cut off suddenly. NBC's experience was almost as bad, although Camacho's speech came over in full. Although the wires were described as having remained intact because the lines were routed differently, the line intended for Latin America was broadcast in the United States and the one intended for the U. S. served Latin America, instead.

NBC had a line to San Francisco where it was to be short-waved to Latin America, and another to Chicago, with an English translation interpolated, for U. S. consumption. Somewhere the lines got mixed, a telephone call could not be put through and it was impossible to do anything in New York because the broadcast was being aired from Chicago. Thus Latin Americans got a translation they didn't require while U. S. residents could get little from the speech unless they understood Spanish.

Richman Rites Today

Funeral services will be held today at 2 P. M. in the Walter B. Cooke Parlors, 117 W. 72nd Street, for Charles Richman, former stage and screen actor, who died Sunday of heart disease at the age of 70. His widow, a son and a daughter survive.

Feature Reviews

"The Bank Dick"

(Universal)

Hollywood, Dec. 2

GOING back to the first principals of slapstick type comedy which won him a renown all his own in his stage days, W. C. Fields turns in herewith in 74 minutes some of the liveliest, "laughingest" entertainment in his specialized manner seen on the screen in years. It is a rowdy and roughianly job of entertainment he delivers, virtually single-handed, and it had a downtown Los Angeles crowd in stitches at the preview. The humor ranges from domestic to bar room variety and winds up in a motor chase equal to or funnier than those the Sennett comedies used to contain, probably due to direction by Edward Cline, who made so many of the Keystones.

Fields plays a bibulous gentleman of small town residence, heckled by his family, who stumbles into heroism by way of being mistakenly accused of apprehending a bank robber. His appointment as bank policeman follows but reformation does not, though his luck holds out and he ends with reward money in one hand and a Hollywood contract in the other, all without trying and with scant pause between drinks. (Communities where extensive use of alcoholic stimulants on the screen is regarded as inappropriate even for comedy purposes might not react so happily as metropolitan L. A. did.)

The cast surrounding Fields, who dominates the film wholly, includes Cora Witherspoon, Una Merkel, Jessie Ralph, Evely Del Rio, Franklin Pangborn, Shemp Howard, Richard Purcell, Grady Sutton and many others. The screenplay is credited to one Mahatma Kane Jeeves, which is generally reported without denial to be a pseudonym for Fields.

Running time 74 minutes. "G."* ROSCOE WILLIAMS

"The Son of Monte Cristo"

(Small-United Artists)

A Count of Monte Cristo of a second generation flashes his sword in this Edward Small production, for the glory of justice, the overthrow of a dictator and the love of a beautiful grand duchess.

It happens in the mythical kingdom of Lichtenburg, with Louis Hayward a dashing and capable Monte Cristo; Joan Bennett as the lovely Grand Duchess Zona; George Sanders a satisfactorily sinister dictator, and Montagu Love as the prime minister loyal to Zona.

Rowland V. Lee, who directed the film from a screenplay by George Bruce, keyed his handling of the story to a speedy pace, and Hayward did an excellent job carrying the picture with speed and vigor. An elaborate setting, plus good production values, makes of the film an item of salable screen merchandise.

Hayward by accident comes to the assistance of Zona, fleeing from her country to get aid from the French king, when she is pursued by Sanders' men. He falls in love with her although she denies her identity, and becomes himself involved in an effort to aid Zona and assist the patriots fighting an underground battle against Sanders.

Running time, 102 minutes. "G."* CHARLES S. AARONSON

"San Francisco Docks"

(Universal)

HOLLYWOOD, Dec. 2.—This is an orthodox melodrama of the kind suggested by the title. The conflict arises from a murder committed by a convict escaping from Alcatraz, suspicion falling upon an innocent man who is tried, convicted and sentenced while his sweetheart and friends track down the real murderer to establish accused's innocence.

Scene of the melodrama is the water front at San Francisco. Action is melodramatic and includes, at the finish, a pursuit and capture of the murderer by longshoremen, as well as a knock-down-and-pull-hair fight between the hero's sweetheart and the murderer's wife. Humor is supplied by Raymond Walburn, Ed Gargan and Barry Fitzgerald, playing character types.

Burgess Meredith plays the young man wrongfully accused, Irene Hervey his sweetheart, Ed Pawley the murderer and Esther Ralston his wife, Robert Armstrong a priest active in bringing about the detection and capture of the criminal.

It is an original screenplay by Stanley Crea Rubin and Edmund L. Hartman directed by Arthur Lubin and produced by Marshall Grant.

Running time, 66 minutes. "G."* ROSCOE WILLIAMS

** "G" denotes general classification.*

Walter-Logan Bill Goes to President

Washington, Dec. 2.—The House today sent to the White House the Walter-Logan bill providing for court review of judicial decisions of the FCC and various other Government agencies. A heavy vote for the measure indicated that if the President vetoes it, as he is expected to do, the House will override his veto. It is expected to be stopped by the Senate, however.

London Houses 25% Of Normal: Rose

(Continued from page 1)

est obstacle it faces at the moment is not enemy air raids but the difficulty of obtaining enough talent to cast pictures properly, he said. Paramount recently completed "Quiet Wedding" at Denham. The picture was in work during the heaviest air raids, in one of which there was minor damage to one of the studios by a time bomb after it had been rendered almost harmless by defense crews.

"Hatter's Castle" is scheduled to go into production at Denham in January and Paramount is negotiating with Leslie Howard for the principal role. Despite casting difficulties and indications that the Government eventually may requisition film studios, Rose believes that production will continue. He believes it will be practical for American companies to continue to turn out three or four features annually in England, fulfilling monetary quotas, which he believes will have to come.

Rose left for the Coast last night to visit his family there. He plans to return to New York early in January and spend several weeks here.

NBC Nov. Billings Record $4,699,078

With four days of heavy political billings swelling the totals, NBC had record gross business for November of $4,699,078, an increase of 11 per cent over $4,234,984 for the same month last year. The Red grossed $3,653,135, an increase of 7.4 per cent, and the Blue grossed $1,045,943, an increase of 25.6 per cent.

Cumulative billings for the first 11 months show increases of similar proportions. NBC has grossed on both networks $45,753,127 for this period, a rise of 11.7 per cent. The Red grossed $36,168,421, up 8.9 per cent. and the Blue, $9,584,706, up 23.4 per cent.

Munsell Named to Drama Guild Board

Warren P. Munsell, Sr., yesterday was named as the managers' representative to the three-man permanent tribunal set up to administer the amended Dramatists Guild pact governing the sale of film rights to plays. Brock Pemberton was named alternate. Film companies are expected to select their representative and alternate from among John Byram, Paramount, Jake Wilk, Warners and Sidney Philips, M-G-M. Edward K. Carpenter, chairman of the Guild board, is expected to be the Guild designee.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 109 NEW YORK, U. S. A., WEDNESDAY, DECEMBER 4, 1940 TEN CENTS

Musical Films Escape Radio Ban on Ascap

CBS Copyright Opinion Clears Dramatizations

Musical films with songs and music by Ascap writers will be permitted on the air after Jan. 1, although Ascap music generally will be banned by the networks. This will be permitted on a conditional basis, which is that the entire story of the picture or a substantial portion of it be dramatized for broadcasting purposes.

This procedure is based on an opinion rendered by the CBS copyright department in a memorandum sent this week to all CBS owned and operated stations.

A distinction was drawn between so-called "small rights," which Ascap controls, and "grand rights" which

(*Continued on page* 10)

Bernhard Honored At Warner Dinner

Joseph Bernhard, general manager of Warner Theatres, was honored by the theatre department last night at a dinner in the Jade Room at the Waldorf-Astoria Hotel, celebrating his 10th anniversary with the company.



Joseph Bernhard

Hosts were Warner zone managers and members of the home office executive staff. They included: Moe Silver Nat Wolf, Howard Waugh, James Coston, Donald Jacocks, I. J.

(*Continued on page* 6)

Reviewed Today

Hollywood reviews of "Jennie" and "Murder Over New York" will be found on Page 5. "Dark Streets of Cairo" and "The Kiss of Fire" are reviewed on Page 9.

Confirm 50% Terms For 'Wind' Under General Release

Advance recommendations for general release of "Gone with the Wind" at 50 per cent were confirmed at the company's sales meeting in Chicago last weekend, it was reported yesterday.

Minimum admissions of 40 cents for daytime showings, tax included, and 50 cents, plus tax, for evenings will prevail. A reserved seat policy for evening performances is not obligatory but is recommended to exhibitors who find it practicable.

The Loew's circuit will replay the picture at the lower admission scales.

Selling will begin immediately but no dates will be accepted until after the Atlanta anniversary showing on Dec. 12. The dates then will be determined by the national release date which has not been set yet and probably will not be earlier than Jan. 31.

Due to the uniform admission scale for general release, ordinary clearance regulations will not prevail for the picture. If disputes over dates arise they will be settled by individual negotiation locally.

Final sales policies in conformance with the Federal consent decree probably will not be determined by M-G-M until the company's annual sales con-

(*Continued on page* 6)

MPPDA to Consider 5-Year Hays Pact

The M.P.P.D.A. board of directors is scheduled to give consideration to a new five-year contract for Will H. Hays as president of M.P.P.D.A. at its quarterly meeting scheduled for Dec. 11. Hays' current five-year contract will expire next March in advance of the regularly scheduled annual meeting of the board during that month.

See Goldwyn Rift With U.A. Healing

HOLLYWOOD, Dec. 3.— Possibilities are increasing that the rift between Samuel Goldwyn and United Artists will be healed, according to reports here today, following the recent visit to the Coast of Maurice Silverstone and Charles Schwartz, company attorney. Schwartz and James Mulvey, Eastern representative for Goldwyn, are reported to have conferred on the matter since Silverstone's departure. Alexander Korda, producer, is reported also to have had a hand in attempting to bring about an amicable

(*Continued on page* 6)

UA to Ask 50% on General Release of 'Great Dictator'

United Artists is altering the 70 per cent plan on which "The Great Dictator" was sold for pre-release engagements, and will ask 50 per cent of the gross for the picture when it is sold for general release early next year. No increase in admission scales will be asked for general release engagements.

The company discontinued pre-release selling of the picture recently. Its general release will be determined in some localities by the six-month clearance guaranty granted to theatres which played the picture at the road-show scales, including the Loew's circuit. However, in some instances individual negotiations are expected to reduce this clearance guaranty, permitting general release engagements prior to next March, when the price clearance ordinarily would expire.

The new terms for "The Great Dictator" would be submitted by Arthur W. Kelly, vice-president, in charge of distribution, to Charlie Chaplin for his approval early in January, when he and Maurice Silverstone, United Artists chief executive, go to the Coast for general conferences with the company's producers.

Test Higher Prices For 'Philadelphia'

M-G-M has scheduled test runs in several key spots of "The Philadelphia Story" at advanced admissions to determine the feasibility of regular showings at the higher prices, as was done with "Boom Town."

Test engagements on the film already have been set for tomorrow at Loew's Rochester in Rochester, N. Y., and at the RKO Palace in Cincinnati. The former will be at a 60-cent top and the latter at 42 cents for matinees and 60 cents for evenings. Regular scales at the Palace are 33 cents for matinees and 40 and 50 cents for evenings.

U. A. Aims for 15 to 20 Films During '41-'42

May Offer Program on Optional Terms

United Artists expects to schedule only 15 to 20 pictures for next season's release, probably the smallest number in the company's history. Maurice Silverstone, chief of world-wide operations, said yesterday. Silverstone also indicated that the company "never will be" a party to the New York case consent decree.



Maurice Silverstone

At the same time, Arthur W. Kelly, newly appointed sales chief, indicated that the company may be obliged to distribute its product on a two-way, optional plan—the old or present method, and

(*Continued on page* 6)

Margolies Is U. A. Publicity Director

Al Margolies, United Artists publicity manager, has been appointed director of publicity for the company under a revision of the department, Maurice Silverstone, United Artists chief executive, said yesterday.

Monroe Greenthal, formerly exploitation and trade paper advertising manager, who succeeds Lynn Farnol as head of the department, is scheduled to name a new exploitation manager on his return from the Coast early next week.

U. A. Votes Bonus For English Staff

United Artists board of directors has voted "a substantial bonus" for approximately 450 employes of the company in Great Britain in recognition of the manner in which they are carrying on their work under extraordinary conditions, Maurice Silverstone, United Artists chief executive, reported yesterday.

Coast Flashes

Hollywood, Dec. 3

DIFFICULTIES between Fox West Coast and Universal over an extended first run of "Spring Parade" at the independent Hawaii Theatre have been settled and F.W.C. will book the film when available into its subsequent runs. F.W.C. had refused to book the film after it was moved over from the Pantages and RKO Hillstreet.

•

Nate J. Blumberg, Universal president, arrived today to begin a preliminary survey of forthcoming product in preparation for annual product conferences next week with home office and studio officials.

•

Jack L. Warner and Samuel Goldwyn today signed a deal whereby Gary Cooper will be loaned to Warner for the title role in the Sergeant York film and Bette Davis will be loaned to Goldwyn for "The Little Foxes."

•

The Los Angeles Police Commission today recommended to the City Council passage of a theatre licensing measure giving the Commission the power to close houses showing indecent films or playing questionable shows. Films having a Production Code seal would not be questioned and the measure would be aimed primarily at imported films, on which there have been complaints.

Personal Mention

BEN KALMENSON, Warners' Western and Southern sales manager, returned yesterday from a two-week trip to the Los Angeles exchange.

•

BUDD ROGERS of Alliance Films is en route here from the Coast, with stopovers planned in seven cities.

•

MILTON FISHMAN, son of AARON FISHMAN of Fishman Theatres, New Haven, is recuperating at New Haven Hopital from an operation.

•

WILLIAM BENSON of Long Island is the new Universal salesman out of New Haven.

•

STANLEY C. JACQUES, RKO branch manager in Cincinnati, and MRS. JACQUES, leave this week for the Coast to visit their twin sons, ROBERT and DONALD, students at the University of California.

•

MORRIS COHN and JACK ARMM, Columbia Albany salesmen, are on a two-week trip.

•

AL SUGARMAN, RKO salesman in Columbus, is back at work after an automobile accident en route to Zanesville.

•

CHARLES D. LEVY, who operates the Lafayette Theatre, New Orleans, has returned from Chicago, where he booked vaudeville acts for the season.

JAMES MULVEY, SAMUEL GOLDWYN representative, who was due Monday from the Coast, changed his plans and is expected to arrive today.

•

WILLIAM J. HEINEMAN, F. J. A. MCCARTHY, LOU POLLOCK, HANK LINET, WALTER FUTTER, I. E. LOPERT, ARTHUR LEE, BENN JENNINGS and SAM LEDNER lunching yesterday at the Tavern.

•

ABE MONTAGUE, JERRY COOPER, IRVING SHAPIRO and RUBE JACKTER having lunch at Lindy's (next to the Rivoli) yesterday.

•

TOBY GRUEN, OSCAR A. DOOB, TOM CONNORS, DAVE LEVY, WILLIAM A. SCULLY, SIDNEY PHILLIPS and MAX A. COHEN at Nick's Hunting Room in the Astor yesterday for lunch.

•

BARNEY BALABAN, NEIL AGNEW, AL RICHARD, RODNEY BUSH, MORT SPRING, ALEC MOSS, JOHN BUCHANAN and LEE SHUBERT lunching at Sardi's yesterday.

•

MRS. GREGORY W. BECK, wife of the manager of the Capitol, Williamsport, Pa., gave birth to a daughter recently.

•

MARY MCSORLEY and GEORGE CAVANAUGH, both of the Comerford home office in Scranton, Pa., were feted by fellow employes at a party in the Hotel Casey following their recent marriage.

•

LEE MALCARNI, operator of the Essex Square Theatre, Essex, Conn., is back at the theatre after an attack of grippe.

•

REVA GERRELL is the new secretary of the National Screen Service office, New Haven.

•

JOHN ROBERTS, Comerford booker, and his wife were injured in a motor accident recently.

•

J. LALOR JOYCE, manager of the Hippodrome, Pottsville, Pa., and ESTHER C. ROSAR were married recently in Scranton, Pa.

•

RALPH PIELOW, M-G-M Albany branch manager, has returned from Chicago.

•

TED DEGRAZIA, manager of the Lyric, Bisbee, Ariz., will exhibit his paintings of Mexico this month.

•

MARGARET MCKINNON, secretary to EDWARD RUFF, is captain of a Paramount girls' bowling team at New Haven.

'Nanette' Into Hall; Rivoli Books 'Men'

Radio City Music Hall has booked "No, No, Nanette" to follow the run of "Thief of Bagdad," which starts tomorrow. Next on the schedule is "The Philadelphia Story" tentatively set for Dec. 26, with "Arizona" and "This Thing Called Love" also booked to follow.

The Rivoli has booked RKO's "Little Men" for a pre-release run beginning Saturday. There are six other pre-release runs set including the world premiere in Denver today.

Newsreel Parade

THE inauguration of General Camacho as president of Mexico is given prominence in the new issues. Various other subjects include the Dies-Jackson "fifth column" fight, the production of bombers in Seattle and football highlights. The contents:

MOVIETONE NEWS, No. 25—Mexico new president is inaugurated. Chinese army prepares for Winter. Australian troops in Egypt. Americans at Sydney en route from Japan. Live stock show in Chicago. Submarine launched at Portsmouth. New bombers at Seattle plant. Grapefruit harvest in Florida. Football.

NEWS OF THE DAY, No. 223—Mexican president takes office. 4-H Club show. Tiger cubs born here. Winter supplies for Chinese army. Debate action against "fifth column" here. Football.

PARAMOUNT NEWS, No. 28—President Camacho inaugurated. Live stock show in Chicago. Ice storm in Amarillo, Tex. Grapefruit festival in Florida. Tiger cubs born here. Football.

RKO PATHE NEWS, No. 28—Wallace hailed at Camacho inaugural. Miners trapped in Ohio mine. Dies and Jackson discuss spy work. American ship, damaged by mine, arrives in Australia. Rush production of bombers at Seattle plant. Football.

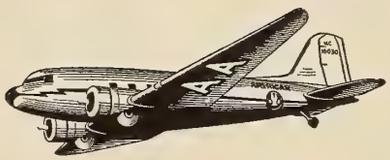
UNIVERSAL NEWRREEL, No. 933—Camacho becomes new president of Mexico. Army speeds draftee training. Mass production of bombers in Seattle. Dies and Jackson discuss action against spies. Live stock show in Chicago. New York shop windows attract Christmas shoppers. Football.

Birdwell to Handle Howard Hughes Ads

HOLLYWOOD, Dec. 3.—Russell Birdwell has been appointed to direct the advertising and publicity for the Howard Hughes unit which is producing for 20th Century-Fox release. Hughes is making "The Outlaw" with Walter Huston and has plans under way for another film.

Capt. Stodter Named Army Coast Liaison

HOLLYWOOD, Dec. 3.—Capt. Charles Stodter of the U. S. Army Signal Corps will arrive from Washington on Monday to be liaison officer between the Army and the Academy of M. P. Arts and Sciences Research Council in the production of Army training films.



CALIFORNIA

American's Southern Sunshine Route

5 FLAGSHIPS DAILY COAST-TO-COAST

★ It's only an overnight skysleeper trip to Los Angeles via American's Famous Sunshine Route! Delicious meals aloft. Stewardess service. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: Rockefeller Center, 18 W. 49th St.; Grand Central, 45 Vanderbilt Ave.

CONVENIENT DEPARTURES

The Sun Country Special 6:45 am
The Plainsman . . . 4:10 pm
The Mercury (Two Sections) 4:45 & 5:10 pm
The Southerner . . . 10:35 pm

AMERICAN AIRLINES Inc.

ROUTE OF THE FLAGSHIPS

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.


WEST



HOW TO KILL TIME!

M-G-M didn't take any poll—
We're just guessing!
But we believe that the
Average American Family,
Papa, mama, brother and sister,
Want to go to the movies tonight
For real old fashioned *(pardon the expression!)*
Belly-laughs!
May we suggest a screamingly funny film—

Groucho
Chico
Harpo

"MARX BROS. GO WEST"

(their best!)

with JOHN CARROLL • DIANA LEWIS • Original Screen Play by Irving Brecher
A Metro-Goldwyn-Mayer Picture • Directed by EDWARD BUZZELL • Produced by JACK CUMMINGS

LITHO U.S.A.

No New Film Taxes In Canada Budget

TORONTO, Dec. 3.—The film industry generally escapes new taxes and prohibitions in the Canadian Federal budget, but giveaway articles, such as chinaware, cutlery, toilet articles, glassware and trinkets, were banned as imports from all countries other than the British Empire for the remainder of the war.

Also banned as imports were air conditioning units, sound reproducing instruments and cameras. No mention was made of motion pictures or projection equipment in a list of more than 1,000 articles.

Four Harrisburg Veterans Honored

HARRISBURG, Pa., Dec. 3.—Four veteran local exhibitors with a total of more than 100 years of experience were honored by the Motion Picture Associates of Philadelphia at a testimonial dinner held here last night.

They are: C. Floyd Hopkins, Harrisburg representative of Wilmer and Vincent; Ike Marcus, owner and general manager, Rialto and National Theatres; Walter F. Yost, operator of the Grand, Roxy and Penway Theatres, and Ben Shindler, owner of the Star Theatre.

Two district managers and six branch managers from Philadelphia were among the 80 who attended, including: Nat Levy, RKO district manager, who was toastmaster; Edgar Moss, district manager, 20th Century-Fox; George Schwartz, Universal, Earle Sweigert, Paramount, Sam Gross, 20th Century-Fox; Max Gillis, Republic; Charles Zagrans, RKO, and Sam Rosen, Monogram.

Equity Seeks Work For Jobless Actors

Actors Equity unemployment committee reported at a meeting of the council yesterday that it is negotiating with the New York State placement service for a person who will specialize in obtaining employment for performers.

Representatives of the National Experimental Theatre, organized by Equity and the Dramatists Guild to produce plays on a cooperative basis, will be ready today to meet with groups wishing to use its services.

Boretz and Helprin Rehearse New Play

Allen Boretz and Morris Helprin have signed Anton Bundsman to direct their production of Boretz's new farce, "The Hard Way," with rehearsals scheduled to begin today.

The cast, as yet incomplete, includes: Isabel Jewell, Eleanor Lynn, Barbara Reed, Sanford Meisner, Henry Antrim, Allen Tower, Edward Nunn, Kirk Brown and Richard Bengal.

23 Ohio Censor Cuts

COLUMBUS, Dec. 3.—The Ohio censors ordered 23 eliminations from a total of 497 reels reviewed in November, compared with 30 eliminations from 510 reels in October. In November, 1939, there were 36 eliminations ordered from 680 reels reviewed.

Hollywood Reviews

"Jennie"

(20th Century-Fox)

Hollywood, Dec. 3

TWENTIETH Century-Fox's production of "Jennie" is an intensely human document which tells the story of a German emigre who, becoming a success as a business man in a small American town, assumes a dictatorial attitude toward his family and customers, to his detriment and their embarrassment. He is exposed as something of a "humbug" and made more natural in his dealings with others by the title character, married to his eldest son, who regenerates the members of the family who were in constant fear of him.

The picture is noteworthy for the emergence into a leading lady of Virginia Gilmore, who does an excellent job as "Jennie," the vivacious young woman who turns the tide of unnatural parental domination. Outstanding, too, is the work of Ludwig Stossel, German refugee actor who, as the stern father, turns in one of the year's best character portrayals.

Supporting the pair are William Henry, George Montgomery, Dorris Bowdon, Rand Brooks, Joan Valerie, Irving Bacon and others. The screenplay by Harold Buchman and Maurice Rapf, who adapted the original by Jane Eberle, is a moving document of family life laid somewhere in a small eastern town. David Burton directed effectively.

First by means of a "rumored" baby, "Jennie" causes her father-in-law to relax slightly in his treatment of his family. Then comes a thorough break with him, in which "Jennie" finds ways of bringing a semblance of independence to her brothers- and sisters-in-law. A reconciliation finally is effected, with the old man changing entirely.

Running time, 78 minutes. "A."* VANCE KING

**"A" denotes adult classification.*

"Murder Over New York"

(20th Century-Fox)

HOLLYWOOD, Dec. 3.—"Murder Over New York," latest in the Sidney Toler "Charlie Chan" pictures at 20th Century-Fox, pits the wits of the Chinese detective against saboteurs attempting to prevent American bombers from being shipped to England. Marjorie Weaver, Robert Lowery, Ricardo Cortez, Donald MacBride, Melville Cooper, Joan Valerie, Kane Richmond, Sen Yung as "Chan's" son, and others support Toler.

Lester Ziffren wrote the topical screenplay based on the Earl Derr Biggers character, with Harry Lachman directing. Sol M. Wurtzel was executive producer.

"Chan," after being hampered by the well meaning efforts of his "Number Two" son, brings all the suspects together in a bombing plane which is about to be tested. The murderer is forced to expose himself to prevent his own death.

While the film shows plainly that the planes are to be shipped to England, no mention is made, directly or indirectly, of the country for whom the saboteurs are working.

Running time, 65 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Surprise Dinner Honors Germaines

NEW HAVEN, Dec. 3.—Sam Germaine, 20th-Fox booking manager here, and Mrs. Germaine were given a surprise 25th wedding anniversary dinner party by 50 friends in and out of the industry at Kaysey's Sunday night.

Among the film people present were Ben Simon and Earl Wright, 20th-Fox, manager and salesman; Al Schuman, president of Allied Theatre Owners of Connecticut; Morris Jacobson, Strand Amusement, Bridgeport; Harry Germaine, Price Premium; Henry Germaine, Paramount salesman. Larry Germaine, Warner Theatre Department, and John Pavone, Universal salesman. Germaine has been with 20th Century-Fox for the past 15 years.

Protests Oust Film In Pittsburgh House

PITTSBURGH, Dec. 3.—The neighborhood Hilltop Theatre here withdrew "The Burning Question" after Rev. Joseph A. Doerr of St. George Church and Rev. Thomas R. Murphy of St. Canice Church had protested in the name of the Legion of Decency. Hilltop advertising had stated "those under 16" would not be admitted.

The Catholic Observer, a weekly here, occasionally comes out against pictures it considers unsuitable for younger audiences.

The picture set a record 15-week run downtown during the Summer at the Art Cinema, which went from a policy of film importations to thrill product in the past five months. The house is operated by Gabe Rubin, who also owns the distributing rights in this territory to "The Burning Question."

Coast Gives $465,708 To Community Chest

Hollywood, Dec. 3.—Leaders of the industry's Community Chest drive division today reported collections of $465,708, an increase of about 49 per cent over last year. Studio and labor group heads and others active in the campaign were honored by Chest officials at a luncheon in Biltmore Bowl where the report was made. Paul H. Yost, Chest drive chairman, congratulated Louis B. Mayer, industry campaign leader, and his aides.

Wright Heads U.S. Film Supervision

WASHINGTON, Dec. 3.—Robert L. Wright, special assistant to the Attorney General, has been named head of the Department of Justice group which will supervise the film industry under the consent decree, it was made known at the department today.

Duties of the group will include the checking of operations under the decree, supervision of enforcement and contact with arbitration, as well as a constant study of conditions in the industry to prevent the introduction of undesirable methods.

Headquarters of the control group will be maintained in Washington but much of the work will of necessity be done in the field. It is not expected, however, that any extensive staff will be required and the department will attempt to maintain its surveillance of the industry with as little discomfort to the film interests and itself as possible.

Allied of N. J. Holds Decree Discussion

A meeting of New Jersey Allied at the organization's New York office yesterday heard a discussion on the effects of the consent decree.

Yesterday's session was presided over by Maury Miller of Passaic, vice-president, in the absence of Lee Newbury, president, who is on vacation.

South Jersey Unit Names Committees

PHILADELPHIA, Dec. 3.—The recently formed South Jersey unit of New Jersey Allied at a meeting here yesterday appointed the following committees: John Harwah, Mrs. Frances Fineman, Mrs. Rose Picione and Murray Sternberg, in charge of entertainment; Ralph Wilkin, Clark Hildinger and H. A. Hill, films; Si Myers, Mrs. Clark Hildinger and Jack Waxmann, legislation.

Arrington Will Head Carolina Exhibitors

CHARLOTTE, N. C., Dec. 3.—C. H. Arrington of Rocky Mount, N. C., was elected president of the Theatre Owners of North and South Carolina, at the annual convention which ended here yesterday. Arrington succeeds H. R. Berry, who was named first vice-president.

Ray Rowe was elected second vice-president, and Mrs. Pauline Griffith was reelected secretary and treasurer.

U. A. Aims for 15 to 20 Films During '41-'42

(Continued from page 1)

the new, or block-of-five plan, as under the terms of the consent decree.

Kelly expressed his personal viewpoint that exhibitors probably will prefer the old way, for the most part.

Silverstone dwelt upon the necessity for quality in production and stated that in offering fewer films for next season the company hopes also to offer pictures of utmost quality.

"Fewer pictures mean better pictures and better sales opportunities," he said.

He revealed that with the exception of pictures from Walter Wanger and the Hal Roach units, not more than a single picture may be forthcoming from any of the other U.A. producers for the 1941-42 season, and that altogether the U.A. roster is likely to include 15 producers. Wanger and Roach may produce more than one each.

Silverstone termed the smaller number of releases practical in view of the new era of competition which he believes is likely to result from the operation in the industry of the Federal consent decree. He pointed out in this respect that it is likely pictures will be sold on their individual merits under the decree and that, in order to compete with companies so selling, the distributors not bound by the consent decree must be prepared to offer product which also can stand individually on its merits.

As a further argument in favor of a reduced schedule, Silverstone pointed to the necessity for recouping income in the domestic market to offset lost foreign revenue.

"We can no longer count on foreign markets for anything," Silverstone remarked. "Because of this, and because we believe that under the consent decree the American industry is heading for adoption of the British selling system, we are convinced that fewer and better pictures are required."

Objectives of the newly formed U.A. producers' committee, of which Wanger is chairman, were described as primarily cooperative. These include avoiding duplication of a story material, simultaneous completion and release of pictures which result in alternate "feasts and famines" for the distributing company, the discovery of new talent and the exchange of talent and ideas, and closer cooperation between producers and the home office.

Masters Weighing Offer from U. A.

Arthur W. Kelly, United Artists vice-president in charge of distribution, yesterday revealed that Haskell Masters, Canadian division manager, has not yet replied to an offer from him for a home office post with duties greater than those which Masters now has in his present post.

Double Dividends On Para. Preferred

Under Paramount Pictures' charter, holders of the company's preferred stock may receive two dividends in the same quarter, following recent declaration of a common stock dividend.

Although the recently declared common dividend was the third successive one voted by the directors, the common stock has not yet been put on a regular dividend basis. Under the terms of an unusual provision in the Paramount charter, stockholders converting their preferred stock into common during the current week will receive the accrued portion of the preferred dividend for the quarter and will also get the full common dividend of 15 cents a share.

N.Y.U., Foundation Settle Ivens Action

New York University and the Alfred P. Sloan Foundation have settled for the full amount, the $25,000 breach of contract suit filed in N. Y. Supreme against them by Joris Ivens and John Ferno.

Fitelson and Mayer, attorneys for the plaintiffs, contended the two were hired to produce two educational pictures for the defendants and were discharged on June 17, 1940, in an alleged breach of an agreement.

Date Club Dinner

CINCINNATI, Dec. 3.—The Cincinnati Cinema Club has set Feb. 21 as the date of their annual dinner and election of officers, in the Variety Club quarters.

See Goldwyn Rift With U.A. Healing

(Continued from page 1)

solution of the 18-months-old differences.

Maurice Silverstone, chief of U.A. world-wide operations, yesterday described the relations between Samuel Goldwyn and the company as "improved," but otherwise refrained from making any comment, when asked about the reported possibility of a settlement between the producer and U.A. Silverstone said he could not speak for Goldwyn.

U. A. Dismissal Plea Decision Reserved

Federal Judge Edward A. Conger yesterday reserved decision on an application of United Artists Corp. to dismiss the complaint of Samuel Goldwyn which seeks cancellation of his distribution contract or, in the alternative, to compel Goldwyn to separately state and number his causes of action.

Edward C. Raftery, attorney for United Artists, insisted that the complaint was repetitious and redundant in form. Raftery claimed that Goldwyn had failed to comply with an order of Federal Judge Vincent T. Leibell, which had directed the filing of an amended complaint.

An examination of Alexander Korda before trial will be held in abeyance until Judge Conger renders his decision. If Korda is unable to testify in New York, a deposition will be taken on the Coast. The suit, in addition to cancellation of Goldwyn's contract, asks for $1,000,000 damages for alleged interference by United Artists with the distribution of "The Westerner."

Navy Is Increasing Print Requirement in Expansion

WASHINGTON, Dec. 3.—The Navy Department gradually is increasing the number of prints required for its motion picture service as the fleet and naval stations are expanded and during the fiscal year 1940 used three prints instead of two, as for a number of years past, it was disclosed today by Rear Admiral Chester W. Nimitz, chief of the Bureau of Navigation, in his annual report.

$386,631 for Films

During the fiscal year the department expended $386,631 for sound motion pictures, of which $199,993.99 was from welfare and recreation appropriations made by Congress and the balance from ships' stores, ships' exchange, ships' service and Marine Corps post exchange profits and from the bureau's reserve, the report showed. The Coast Guard and Army Transport Service contributed also, in proportion to the films used by them. Miscellaneous supplies and maintenance for the Navy motion picture exchange cost approximately $10,499, and $293,028 was expended in the purchase of new equipment for ships and stations.

Suitability Studied

"To provide sound motion picture service to ships and stations the Bureau of Navigation leases annually, for a four-year period, a number of the best programs produced," Admiral Nimitz explained. "These programs are carefully studied for suitability as to the subject matter and presentation, the selected audience to which they are to be shown being the primary consideration. Of the programs selected, three prints are now leased, this figure representing an increase of one over the number leased in the fiscal year 1939. This increase was necessitated by the commissioning and recommissioning of a large number of ships."

Braden on "Fantasia"

Frank Braden, veteran amusement publicity man, has been assigned to advance publicity on Walt Disney's "Fantasia" and will handle campaigns in Washington, Boston, Philadelphia and Chicago.

Confirm 50% Terms For 'Wind' Under General Release

(Continued from page 1)

vention is held next Spring, company officials returning from their Chicago sales meeting said yesterday.

District and branch managers were instructed in the law represented by the decree and numerous questions from the legal and practical angles put by the men were answered by William F. Rodgers, M-G-M general sales manager, and Tyree Dillard, home office counsel.

Actual sales policy and procedure under the decree is admittedly still problematical, it was said, and instructions of a definite nature are not expected to be given before Spring. Present plans call for the presence of all M-G-M sales managers and salesmen at the Spring convention.

Rodgers will return to New York from Chicago today. T. J. Connors, E. M. Saunders and E. K. O'Shea, division managers, with H. M. Richey, E. W. Aaron and Dillard arrived from Chicago yesterday.

Bernhard Honored At Warner Dinner

(Continued from page 1)

Hoffman, Ted Schlanger, Harry Kalmine, John J. Payette, Herb Copelan, Clayton E. Bond, J. M. Brennan, Frank E. Cahill, Nat Fellman, Jules Girden, Harry Goldberg, Ed E. Hinchy, Louis J. Kaufman, Sam E. Morris, Herman Maier, Harry Mayer, W. Stewart McDonald, Frank Phelps, Harold Rodner, Harry Rosenquest, Leonard Schlesinger, Abel Vigard, M. Blackman, Jules Levey, Rudy Weiss, Ben Wirth and Lou Brager.

Many Guests

The guests included: Major Albert Warner, Sam Schneider, Sam Carlisle, Carl Leserman, Herman Starr, Mort Blumenstock, Stanleigh P. Friedman, Harold S. Bareford, R. W. Perkins, Miles Alben, H. Levinson, Morris Ebenstein, Joe Hummel, Karl Macdonald, Roy Haines, Ben Kalmenson, Al Schwalberg, Arthur Sachson, Arthur J. Siegel, T. J. Martin, W. S. Halliday, Frank L. Gates, Barney Klawans, Herman Levine, Max Friedman, Sol Bragin, Alex Halpern, Frank Damis, Max Hoffman, Lester Krieger, Harry Feinstein, George Crouch, Ralph W. Budd, A. C. Brauninger, Mike Dolid, Jacob Schwartz, Frank Marshall, Don Sherwood, W. G. Wallace, Martin F. Bennett, Harry Kaplowitz, Moe Henry, Dan Trieste, Lou Siegel, Ray Hewlett, Harry Kaestner, Joe Tisman, Leonard Ormaner, Albert Rockvam.

Bernhard was presented with a memory book containing the signatures of the zone managers, home office staff, heads of departments in the field, district managers and all managers in the Warner circuit.

C. Henry Gordon Dead

HOLLYWOOD, Dec. 3.—C. Henry Gordon, 57, character actor, died today at Hollywood Hospital from the effects of a leg amputation performed yesterday. Mrs. Gordon survives.


GENE AUTRY'S FIRST $500,000
ALL-STAR PRODUCTION!
MELODY RANCH
GENE AUTRY · JIMMY DURANTE · ANN MILLER and
BARTON MacLANE · BARBARA ALLEN
"GABBY" HAYES · JEROME COWAN · MARY LEE
HEAR GENE SING:
"MELODY RANCH"
"CALL OF THE CANYON"
"SAME DREAM TWICE"
"RODEO ROSE"
A REPUBLIC PICTURE

Ask New Vote on Sunday Pictures

Pittsburgh, Dec. 3.—Alleged oversight of Allegheny County commissioners in failing to provide ballots for a referendum on Sunday films in suburban McDonald, which has three precincts in Washington County and one precinct in Allegheny, may affect the vote on the issue. Defeated by 213 votes, Sunday pictures would have been favored if 346 voters in the non-voting precinct had cast ballots, petitioners complain in a request for another referendum.

Delaware Blue Law Committee Active

DOVER, Del., Dec. 3.—The Blue Laws Commission named by the last session of the Delaware General Assembly to study possible modernizing of old state Sunday laws, held a two-hour meeting today to discuss procedure suggested by Attorney General James R. Morford and the statutes of other states.

The full recommendations of the commission will be made to the legislature, which convenes next month. Chairman Ralph L. Minker reported that progress has been made toward a solution of the problem but refused to divulge any details.

Hollywood Notes

Hollywood, Dec. 3

WARNERS will star EDWARD G. ROBINSON in "The Man They Couldn't Kill," an original by SIDNEY BIDDELL and FREDERICK FRANK. The story concerns an actor who portrays gangsters who, upon being hit on the head, takes his stage roles literally. . . . DOLLY LOEHR, 13-year-old girl who made her screen debut in "The Hard-Boiled Canary," formerly called "Magic in Music" and before that, "Interlochen," has been given a term contract by Paramount.

• •

George Bruce has been signed to do the script of "Strange Victory," Rose Franken-William Brown Meloney novel, which Sol Lesser will produce for United Artists release. . . . The producer contract of Henry Blanke at Warners has been extended for two years. . . .Gordon Douglas has just been signed by Hal Roach to direct "Broadway Limited." . . . Red Skelton has been given a long term contract by M-G-M, and will appear in "Mr. Coed," new William Powell-Myrna Loy vehicle.

• •

BRENDA MARSHALL and JEFFREY LYNN have been set for leads in "Jinx Women" at Warners. It is from an original story by the late LAIRD DOYLE, film writer who died in an airplane crash. ALLEN RIVKIN and M. COATES WEBSTER did the script, and JEAN NEGULESCO, formerly a short subject director, will get his first feature assignment with this. . . . CHARLES E. FORD, Producers Corp. of America general manager, has sent a camera crew to Chicago to obtain inside-the-house shots of the Chicago Civic Opera House for use in "Kingdom Come," which will star JOHN CHARLES THOMAS. . . . "Road Show," Hal Roach-United Artists production, will have its world premiere at the Stanley Theatre, Pittsburgh.

• •

NANCY KELLY replaces EVELYN ANKERS as the feminine lead opposite JOHN LODER, who replaced GEORGE SANDERS, in 20th Century-Fox's "Uncensored." . . . OLIVE COOPER has been set to do the script for Republic's "In Old Cheyenne." . . . HENRY FONDA gets the role in 20th Century-Fox's "The Great American Broadcast" that TYRONE POWER was to have had. . . . HAROLD SCHUSTER has been assigned to direct JANE WITHERS in "A Very Young Lady," which ROBERT KANE will produce. . . . LARRY DARMOUR has set "The Three Scratches" as the second of the Ellery Queen series for Columbia release. RALPH BELLAMY, MARGARET LINDSAY, CHARLES GRAPEWIN and JAMES BURKE, who appeared in the first, "Ellery Queen, Master Detective," have been set for the second. ERIC TAYLOR is writing the screenplay.

• •

Universal has signed two sets of off-screen romances, Guinn Williams and Lupe Velez, and Charles Lang and Helen Parrish, for the top roles in "Six Lessons from Madame LaZonga." John Rawlins will direct. . . . Universal also has signed Hugh Herbert to a five year contract and Arthur Lubin, director, to a three year pact.

• •

JERRY BRANDT, who will produce the "Scattergood Baines" series, has started construction of a permanent set of "Coldriver," fictional town depicted in CLARENCE BUDINGTON KELLAND'S stories, at RKO-Pathe, in Culver City. BERNARD HERZBRUN is the art director.

• •

LIONEL ATWILL will play the title role in Universal's "The Mysterious Dr. R.," with LON CHANEY, JR., FRANK ALBERTSON and ANNA NEAGLE in support. GEORGE WAGGNER, who wrote the story, will direct.

• •

EDWARD NORRIS and MILDRED COLES head the cast of Warners' "Here Comes Happiness," which NOEL SMITH is directing. . . . RICHARD H. LANDAU and WILLIAM ULMAN, JR., were signed to do the screenplay of their original story they sold to Paramount, "Two Bad Angels," which SOL SIEGEL will produce as his first at the studio.

Gets Monogram Post

ALBANY, Dec. 3.—William Murray, former Grand National office manager and booker, has returned here as Monogram booker, succeeding Mitchell Pantzer, resigned. Pantzer has left for Florida for a month's vacation before assuming a post with a circuit here.

11 Productions Start, with 37 Now Shooting

HOLLYWOOD, Dec. 3.—Thirty-seven pictures were before the cameras this week as 11 started and seven finished. Thirteen are being prepared, and 66 are being edited.

The tally by studios:

Columbia

Finished: "The Face Behind the Mask."

In Work: "Penny Serenade," "Blondie Goes Latin," "The Devil Commands."

Lesser-Lubitsch

In Work: "That Uncertain Feeling."

M-G-M

Finished: "Come Live With Me," "Wild Man of Borneo."

In Work: "Ziegfeld Girl," "Men of Boys Town," "The Bad Man," "Four Cents a Word."

Monogram

Finished: "Trail of the Silver Spurs."

Started: "You're Out of Luck."

Producers Releasing

Finished: "Misbehaving Husbands," "Billy the Kid's Gun Justice."

Started: "Billy the Kid's Range War."

Paramount

In Work: "The Lady Eve," "The Road to Zanzibar," "New York Town," "Border Vigilantes."

Started: "Las Vegas Nights."

RKO

Started: "They Met in Argentina," "Prodigy."

Republic

Finished: "Robin Hood of the Pecos."

Started: "Ridin' on a Rainbow."

Roach

In Work: "Topper Returns."

20th Century-Fox

In Work: "Western Union," "Tall, Dark and Handsome," "Murder Among Friends," "The Road to Rio," "Sleepers West."

Started: "Tobacco Road," "Uncensored," "The Outlaw."

Universal

Finished: "Who's Crazy Now?"

In Work: "Back Street," "Nice Girl."

Warners

Finished: "The Wagons Roll at Night."

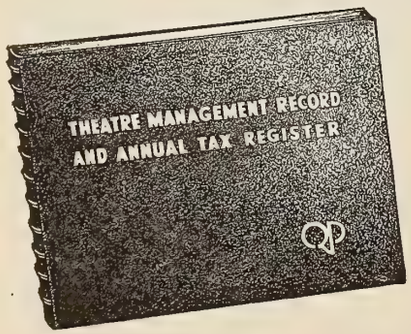
In Work: "Footsteps in the Dark," "Strawberry Blonde," "Her Great Lie," "The Sea Wolf," "Knockout."

Started: "Stuff of Heroes," "Here Comes Happiness."

Basil-Dipson Circuit Change Is Effective

ALBANY, Dec. 3.—D. & B. Operating Co., Inc., Buffalo, has changed its name to Dipson Theatres, Inc., while Dipson-Basil Theatres, Inc., changed its corporate name to Dipson Realty Co., Inc.

The formal change of name makes effective the purchase of the Basil interests in Buffalo in the breakup of the Basil-Dipson circuit interests there.



SPECIAL INTRODUCTORY PRICE

$2.00 POSTPAID

Keep Your Accounts Easily, Accurately!

NEW SIMPLIFIED THEATRE BOOKKEEPING SYSTEM!

■ Exhibitors, ***The Theatre Management Record and Annual Tax Register*** has been devised expressly for you. So utterly simple, it requires no bookkeeping experience; it includes individual sections for all operating data and is designed so that full tax information is always readily available. You will have a complete up-to-the-minute record of your business always before you with this amazing new self-operating system. Order it today.

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER NEW YORK

'Alley' Scores Good $32,800, Los Angeles

LOS ANGELES, Dec. 3. — "Tin Pan Alley" and "The Gay Caballero" scored a total of $32,800, with $14,300 at the Chinese and $18,500 at Loew's State. "Arise My Love," plus Jerry Colonna on the stage of the Paramount, took $18,000 in the third week.

Estimated takings for the week ending Nov. 27:

"Tin Pan Alley" (20th-Fox)
"The Gay Caballero" (20th-Fox)
CHINESE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $14,300. (Average, $12,500)
"The Great Dictator" (U. A.)
CARTHAY CIRCLE—(1,518) (75c-$1.65) 7 days, 2nd week. Gross: $13,500. (Average, $17,000)
"The Long Voyage Home" (U. A.)
4 STAR—(900) (44c-55c) 7 days, 3rd week. Gross: $4,000. (Average, $3,250)
"Too Many Girls" (RKO)
"Sandy Gets Her Man" (Univ.)
HILLSTREET — (2,700) (33c-44c-55c-75c) 7 days. Gross: $5,000. (Average, $6,500)
"Tin Pan Alley" (20th-Fox)
"The Gay Caballero" (20th-Fox)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $18,500. (Average: $14,000)
"Too Many Girls" (RKO)
"Sandy Gets Her Man" (Univ.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $5,000. (Average, $7,000)
"Arise My Love" (Para.)
PARAMOUNT—(3,595) (44c-55c-75c) 7 days, 3rd week. Stage: Jerry Colonna; Rube Wolf & Orchestra. Gross: $18,000. (Average, $18,000)
"The Letter" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $12,600. (Average, $14,000)
"The Letter" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400) (33c-44c-55c-75c) 7 days. Gross: $12,700. (Average, $12,000)
"The Great Dictator"
UNITED ARTISTS—(2,100)* (68c-$1.65) 7 days, 2nd week. Gross: $12,000

'Letter' Pittsburgh Winner at $17,500

PITTSBURGH, Dec. 3.—The Stanley topped Thanksgiving week with $17,500 for "The Letter," Loew's Penn with "Bitter Sweet" took $14,500.

Estimated takings for the week ending Nov. 28:

"The Mark of Zorro" (20th-Fox)
FULTON—(1,700) (28c-44c) 4 days, 3rd week. Gross: $2,200. (Average, 7 days, $5,000)
"Bitter Sweet" (M-G-M)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $14,500. (Average, $13,000)
"World in Flames" (Para.)
"Always a Bride" (W.B.)
RITZ—(800) (28c-44c) 7 days. Gross: $1,500. (Average, $3,000)
"Before I Hang" (Col.)
"So You Won't Talk" (Col.)
SENATOR — (1,800) (28c-44c) 4 days. Gross: $1,600. (Average, 7 days, $5,000)
"The Letter" (W.B.)
STANLEY—(3,500) (28c-39c-55c) 7 days. Gross: $17,500. (Average, $13,000)
"Dancing on a Dime" (Para.)
"Tugboat Annie" (W.B.)
WARNER — (2,000) (28c-44c) 7 days. Gross: $3,800. (Average, $5,000)

U.A. Personnel Shifts

Earl Collins, United Artists branch manager in Denver, has been shifted to Los Angeles manager, replacing Ewen MacLean, resigned. Al Hoffman, chief Denver salesman, has been named Denver manager. Alex Singelow, Denver salesman, has been given a post in the Seattle exchange, and Jack O'Bryan has been moved from Seattle to the San Francisco exchange.

Feature Reviews

"Dark Streets of Cairo"

(Universal)

The story of archaeologists in Egypt seeking to recoup from thieves a fabulous collection of jewels, "Dark Streets of Cairo" is melodrama, with murders in secret passages and the like. There are many humorous situations throughout, however, which add zest to the film.

Sigrid Gurie, Ralph Byrd, Eddie Quillan, George Zucco, Katherine DeMille and Rod LaRocque are the more important members of the cast and handle their respective assignments competently. Quillan is especially good, providing the comedy as a member of the archaeologist group.

The original screenplay by Alex Gottlieb was directed by Leslie Kardos. Miss Gurie is seen as the niece of the prospective buyer of the jewels, and Zucco as the head of the thieves who nonchalantly murders his adversaries. Miss DeMille is his wife.

Running time, 58 minutes. "G."*

**"G" denotes general classification.*

"The Kiss of Fire"

(Hakim)

Viviane Romance, as a reckless wench, stacks her feminine allure against Tino Rossi, a Don Juan and heart-breaker in his own right, but the male finds himself no match for Miss Romance, who is described gaily in a program note as "la renaissance du sex-appeal."

She is forthright, if nothing else, and her vigorous portrayal of a light o' love flitting from man to man has a certain sweep and humor. It all starts when Michel Simon, in his helpless way, picks up Miss Romance and brings her home with him. Rossi, a singer in a restaurant, is engaged to marry Mireille Balin. Although attracted by Simon's new friend, he promises Simon to stay away from her. At this point Miss Romance sets her cap for Rossi and the chase is on.

Running time, 83 minutes. "A."* EDWARD GREIF

**"A" denotes adult classification.*

'Escape' Captures $10,800 in Montreal

MONTREAL, Dec. 3.—"Escape" scored $10,800 at Loew's and was held for a second week. The second week of "Strike Up the Band" at the Palace registered $6,900. Storms hurt business.

Estimated takings for the week ending Nov. 29:

"Night Train to Munich" (British)
"Bad Little Angel" (British)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $6,700. (Average, $8,000)
"Escape" (M-G-M)
LOEW'S — (2,800) (30c-40c-60c) 7 days. Gross: $10,800. (Average, $8,000)
"The Great Dictator" (U. A.)
ORPHEUM—(919) (75c-$1.10) 7 days, 3rd week. Gross: $2,300. (Average, $5,000)
"Strike Up the Band" (M-G-M)
PALACE—(2,600) (25c-40c-55c-65c) 7 days, 2nd week. Gross: $6,900. (Average, $9,000)
"The Ramparts We Watch" (RKO)
"Mexican Spitfire Out West" (RKO)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days, 2nd week. Gross: $4,000. (Average, $4,500)

'Police' Is Omaha Smash at $13,700

OMAHA, Dec. 3.—"North West Mounted Police," single featured at advance prices, drew a big $13,700 at the Omaha. The weather was cold and stormy.

Estimated takings for the week ending Nov. 27-28:

"You'll Find Out" (RKO)
"I'm Still Alive" (RKO)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $4,600. (Average, $4,000)
"North West Mounted Police" (Para.)
OMAHA — (2,000) (35c-40c-55c) 7 days. Gross: $13,700. (Average, $6,000)
"Mark of Zorro" (20th-Fox)
"The Quarterback" (Para.)
ORPHEUM — (3,000) (30c-44c) 7 days. Gross: $6,800. (Average, $7,200)

'Angels' and Garber Pull Well in Loop

CHICAGO, Dec. 3.—"Angels Over Broadway" with Billy Gilbert and Jan Garber's orchestra on the stage of the State-Lake, took $19,000. "Dance, Girl, Dance" plus Woody Herman and his band at the Oriental scored $17,500.

Estimated takings for the week ending Nov. 29:

"Long Voyage Home" (U.A.)
APOLLO—(1,400) (35c-55c-65c-75c) 7 days, 2nd week. Gross: $6,000. (Average, $6,500)
"Mark of Zorro" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Xavier Cugat Orchestra. Ray Bolger. Gross: $36,000. (Average, $32,000)
"North West Mounted Police" (Para.)
GARRICK—(1,000) (35c-55c-75c) 7 days, 3rd week. Gross: $6,000. (Average, $5,000)
"Dance, Girls, Dance" (RKO)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Woody Herman Band. Gross: $17,500. (Average, $13,000)
"You'll Find Out" (RKO)
"Queen of Destiny" (RKO)
PALACE—(2,500) (35c-40c-60c) 7 days. Gross: $15,000. (Average, $13,000)
"Howards of Virginia" (Col.)
ROOSEVELT—(1,500) (35c-55c-65c-75) 7 days. Gross: $11,000. (Average, $11,000)
"Angels Over Broadway" (Col.)
STATE-LAKE—(2,700) (25c-40c) 7 days. Stage: Billy Gilbert; Jan Garber Orchestra. Gross: $19,000. (Average, $15,000)
"Third Finger, Left Hand" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $12,000. (Average, $14,000)



Broadcasters Dispute F.C.C. Police Powers

WASHINGTON, Dec. 3. — The FCC is powerless to act so long as a broadcaster meets the requirements of the FCC relating to public interest and character, it was argued today by Phillip Hennessey, NBC counsel, at the final hearing before the commission on its monopoly committee report.

Closing the two-day hearings, interested parties were given until Dec. 16 in which to file briefs suggesting methods for improving competition.

Hennessey declared that even though a licensee may use the power of his license to suppress competition and engage in unfair practices, the FCC is without authority to act so long as the licensee meets the commission's requirements. Hennessey made this assertion after Martin Gang, representing the Independent Artists' Representatives, and Waddill Catchings of Associated Music Publishers had charged the two major networks with using their artist bureaus to the disadvantage of independent agents.

Louis G. Caldwell, Mutual counsel, submitted recommendations for regulation of networks closely approximating those suggested last week by the FCC. Caldwell charged the two competing networks were operating in violation of anti-trust laws.

Joins Director Guild As Publicity Adviser

HOLLYWOOD, Dec. 3. —George Brown, former publicity director for Columbia and until recently a member of the Warner studio publicity department, has joined the executive staff of the Screen Directors Guild in a public relations advisory capacity.

Brown refused over the weekend to state his exact position with the guild, and whether he was resigning his Warner post or applying for a leave of absence.

Ascap Membership Now Includes 1,306

Admission of 44 new members to Ascap brings membership to a new all-time high, Gene Buck, president has disclosed. The total of 1,306 includes 1,166 composer-authors and 140 publishers. Including the 44 most recently admitted, 139 have joined this year.

Heading the list of serious music composers joining recently are Eugene Ormandy, conductor of the Philadelphia Orchestra, and Aaron Copland. Among the newly added popular song writers are Jimmy Dorsey, Benny Meroff, Walter O'Keefe and Mort Greene.

Off the Antenna

WORK on the new FM transmitter for WCAU, Philadelphia, will start immediately, and should be ready and in operation within three months, officials said. "We hope to have a construction permit for a television transmitter granted to us by the FCC in the near future," it was said by officials.

• • •

Purely Personal: *Samuel Bicknell, of the WOR sales promotion department, was married recently to the former Mary Elton Roberts. . . . Tom Hamilton, WOR salesman, became the father of a 7½-pound boy last week. . . . Jimmie Lunceford will start a weeks' engagement at Loew's State tomorrow and will go into the RKO Keith, Boston, Dec. 12. . . . Dick Bray, WSAI, Cincinnati, sportscaster, and the former Patricia Sharkey have been married. . . . Robert Henderson, of the NBC news department, a lieutenant in the Naval Reserve, is en route to Pensacola, Fla., for active duty. He is the first NBC employee to be called up.*

• • •

KFBC, Cheyenne, Wyo., will join NBC Saturday as a bonus outlet on the Blue network Mountain Group. As of Dec. 15, NBC will have 219 affiliates. KFBC operates on 1,420 k.c. with 250 watts day and 100 night. The cut-in announcement rate is $6 nights and $3 days.

• • •

WTAD, Quincy, Ill., will join CBS Jan. 1 to become the network's 123rd affiliate. WTAD has been authorized to operate on 900 k.c. with 1,000 watts, full time. The basic rate will be $125 per evening hour.

• • •

Program News: *Red Barber has been selected to do the description of the professional football championship game Sunday from Washington. Mutual announces that 121 stations will carry the game. . . . Ben Grauer's contract as announcer on Kay Kyser's "College of Musical Knowledge" has been renewed effective Jan. 22. . . . Al Pearce and his Gang have been renewed over CBS for an additional 26 weeks by R. J. Reynolds Tobacco Co. . . . The J. B. Williams Co. has renewed "True or False" over 23 NBC-Blue stations. . . . Members of the cast of Oxydol's "Ma Perkins" will celebrate the seventh birthday of the show on NBC at a dinner at the Racquet Club, Chicago, tonight. Two of the cast, Virginia Payne and Charles Egelston, have been with the program since its debut on Dec. 3, 1933.*

Mutual Nov. Gross Up 91%; CBS Rise 6%

Mutual gross billings during November almost doubled over the corresponding month in 1939, showing an increase of 91.9 per cent, most of which was due to last minute political bookings. CBS, too, was aided somewhat by political talks and showed a 6.2 per cent rise over November, 1939.

The gross take for CBS for November was $3,689,778, as compared with $3,474,163 in the same month last year. Mutual grossed $627,562 for the month, as compared with $327,045 in November, 1939.

Cumulatively for the first 11 months gross billings for CBS were $37,205,560, a rise of 20 per cent, and for Mutual $4,190,071, up 39.6 per cent.

Stromberg Set Sales 10% Above Last Year

ROCHESTER, Dec. 3.—Stromberg Carlson radio sales during the current year have exceeded by 10 per cent last year's figures, when more sets were sold than in any year since 1929, Wesley M. Angle, president, has reported.

The company at present is carrying a backlog of orders for all types of equipment 400 per cent greater than at this time last year, Angle said.

Upstate Theatre Burns

SALEM, N. Y., Dec. 3.—Vivien Sweet's Star Theatre here was destroyed by fire last night, with the loss of prints on a feature, newsreel and short subject. It followed the burning of Lafe Quinlan's ideal Theatre, Chateaugay, recently.

Legion Approves 7 Of Nine New Pictures

A Czech film was condemned, a French film was classified as objectionable in part, while four pictures were found unobjectionable for general patronage and three unobjectionable for adults, of the nine films reviewed and classified by the National Legion of Decency this week.

The films and their classification follow: Class A-1,Unobjectionable for General Patronage—"Barnyard Follies," "Border Legion," "Melody Ranch," "Take Me Back to Oklahoma." Class A-2, Unobjectionable for Adults—"Dr. Kildare's Crisis," "Mayerling to Sarajevo," "Tin Pan Alley." Class B, Objectionable in Part—"Two Women." Class C, Condemned—"Merry Wives."

BMI Gets Cuban Music

BMI has announced the acquisition of the performing rights of music controlled by Institucion Nacional de Autores, Compositores y Editores de Cuba, which includes most of the native Cuban music, it was said, as well as those owned by D. Appleton-Century Co. which includes many arrangements of Gilbert & Sullivan music, sacred music, and a number of classical composers.

Ingrid Bergman Loaned

HOLLYWOOD, Dec. 3.—David O. Selznick has loaned Ingrid Bergman to M-G-M to star with Robert Montgomery in the film version of James Hilton's book, "Rage in Heaven." Robert Sinclair will direct.

Rehearse Guild Play

The Theatre Guild's production of Tennessee Williams' new play, "Battle of Angels," has gone into rehearsal with Miriam Hopkins in the leading role and Margaret Webster directing.

Musical Films Escape Radio Ban on Ascap

(*Continued from page 1*)

belong to the producer who copyrights the entire motion picture.

It is pointed out in the memorandum that a musical work is considered to belong to Ascap if either the composer, or lyric writer, or publisher, or arranger, is a member of Ascap, or if any of them are members of a foreign society which has an agreement with Ascap. Even where such a person is under contract to a studio, the small rights still belong to Ascap, if he is a member.

Individual Songs Not Permitted

Since small rights in such instances belong to Ascap, individual songs alone from a picture will not be permitted on the air either to exploit films or for any other purpose. However, the grand rights belong to the producer and with his permission the songs may be used over the air provided the entire film or a substantial portion is dramatized over the air at the same time. The same ruling, in the opinion of the CBS copyright bureau, applies to musical comedies, operas, operettas, revues and major symphonic works.

"In some instances," says the memorandum," the line of demarcation between small and grand rights is extremely fine. Therefore, each case must be considered individually."

The memorandum sets forth precautions to be taken to avoid infringement of the Ascap rights after Jan. 1 and points out that penalties of not less than $250 and not more than $5,000 may be imposed for violations. The Ascap membership contract provides for control of small rights on compositions by members in all classifications and deals with future as well as past works.

After listing publishers with whom BMI has agreements and other music available, it is pointed out six recording companies are turning out non-Ascap recordings. BMI will furnish at least 500 recorded titles before Dec. 15 as a bonus service, without charge, to member stations.

CBS will have an 18-hour-a-day music clearance department which will also operate weekends, but because of the complicated structure the usual last minute changes will not be possible. Duplication restrictions on the network will be reduced from two hours to one.

Programs which will benefit principally under the grand rights ruling which refers to films will be such shows as "Lux Radio Theatre," "Screen Guild Theatre" and the Kate Smith show, all of which give long dramatizations of the film stories they use. However the loss of exploitation values because individual songs cannot be used on the air will still be substantial, it was pointed out. It is likely that BMI will make some of its original music available to film companies for their mutual benefit.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 110 NEW YORK, U. S. A., THURSDAY, DECEMBER 5, 1940 TEN CENTS

Government Is Asked to Open British Studios

Fight Brews on Bookings Of Closed Houses

LONDON, Dec. 4.—A group representing the employe organizations in the industry will appear before the British Board of Trade tomorrow with an appeal for Government action looking toward improvement of the production situation.

The group will make a special plea for release of film studios which have been commandeered by the Government for war purposes, and release of technicians from war service.

It is planned later to send a deputation to Ernest Bevin, Minister of Labor in the British Cabinet and one of the most powerful members of the Government. Such a move would be in line with complaints previously made to the Government by American companies here.

Meanwhile, trade circles here anticipate an industry fight over the attitude of the Kinematograph Renters Society (distributors) concerning theatres closed by the war. The London and Home Counties Branch of the Cinematograph Exhibitors Association will discuss the situation at the general council meeting this month at Llandudno, in Wales.

The K.R.S. policy aims at the continuance of booking contracts pending theatre reopenings, with the distributor having the option of determining the films to be shown.

The distributors today refused the request of the London C.E.A. branch that a representative group meet with the exhibitors to discuss the situation.

Col. Quarter Profit Rises to $153,878

Columbia yesterday reported net profit of $153,878, after all charges and provision for Federal taxes, for the first quarter ended Sept. 28, of the company's fiscal year. The result compares with a loss of $104,751 for the corresponding period last year, after similar deductions.

The company's working capital at the end of the quarter amounted to $11,196,979. Current assets were $13,082,811 and current liabilities $1,885,831.

Study New Plan on Film News Program For South America

An economical plan for radio broadcasts of film news in South America is being studied by foreign department publicity men of major companies, with a report on its cost and other practical angles scheduled to be submitted to the M.P.P.D.A. within the next few weeks.

The plan, developed by Dave Blum, assistant to Arthur M. Loew, M-G-M foreign department head, contemplates the recording of film programs here and in Hollywood, the discs to be shipped to the South American branches of the major companies for placement locally with broadcasting stations there.

The plan was proposed as an alternative to use of NBC's South American short wave for film programs. Home office foreign departments, with the exception of RKO, regard the latter as a costly publicity method of doubtful value, due to the limited number of short wave receiving sets in South American territories and to generally poor reception on the sets in use there. Because of this, they do not favor continued use of short wave. It is argued that Blum's transcription plan not only should be more economical than use of the short wave, but also should reach many more listeners in South America, with better reception on the local long waves.

Major company heads still are considering use of the short wave as a phase of the inter-American good-will program, however.

COLUMBIA READY TO ATTACK DECREE

Counsel Prepared to Challenge Its Legality At Court Hearing Today on U. S. Move To File Amended Bill of Complaint

Columbia is prepared to open a direct attack on the legality of the consent decree at the hearing before Federal Judge Henry W. Goddard in U. S. District court here today on the Government's application for leave to file an amended complaint against the three non-consenting companies, it was learned yesterday.

Counsel for Universal and United Artists yesterday filed a motion directing the Government to sever the three non-consenting companies from the "Big Five," which are also named in the Government's proposed amended complaint, although the decree relieves them of the status of defendants.

The motion was filed by Edward C. Raftery of O'Brien, Driscoll & Raftery, who represents Universal and United Artists jointly, and in this the strategy of these companies differs from that of Columbia in opposing the Government's move to bring a new action against the three non-consenting companies.

Would Force New Complaint

Should Raftery's motion succeed, it would force the Government to file a new complaint against the three non-consenting companies. Lawyers interested in the case point out it would obviously be difficult for the Government to prove a conspiracy among the "Little Three" to monopolize the industry.

Columbia, United Artists and Universal, meantime, have applied to Judge Goddard for an order staying prosecution of the Nashville, Buffalo and Oklahoma City anti-trust suits, pending the outcome of the New York

(*Continued on page 7*)

Arbitration To Be Simple

Efforts to make arbitration under the decree as simplified and inexpensive for exhibitors as possible will be the aim of the administrative committee of the American Arbitration Association, it was stated yesterday following the committee's first meeting.

The meeting completed a simplified form of complaint which will be used to initiate arbitration proceedings and a cost form which sets forth the charges involved. Both were drafted with the consideration that no attorney is required by exhibitors desiring to bring an arbitration proceeding, it was said. Paul Felix Warburg, chairman of the administrative committee, presided.

'Awful Substitute for Art', Says Beecham of Screen

By PAT DONOVAN

MONTREAL, Dec. 4.—Speaking at a meeting of the Canadian Club in the Windsor Hotel on Monday, Sir Thomas Beecham, composer and orchestra conductor, castigated t he American cinema—all cinema for that matter—terming it an "awful substitute for art."

In his tirade against the film industry, Sir Thomas set forth that the good old British drama, as far as the British Dominions were concerned, was dead, damned and buried. Assuming that the majority of the population here cling to the traditions of the old countries, he asked them to consider the fact in the leading cities of Australia, New Zealand and Canada the theatre was not to be found.

(*Continued on page 7*)

Film Executives to Attend Fund Dinner

A number of industry executives are expected to attend the auction dinners for the War Relief Fund of the American Red Cross for aid to Great Britain, to be held Monday and Tuesday evenings in the ball room of the Hotel Plaza. Dorothy Thompson will be among the speakers.

Dr. A. S. W. Rosenbach is chairman of the affair. In addition to Archbishop Francis J. Spellman, J. P. Morgan and others, among committee members are the following in the amusement industry: Major Edward Bowes, Frank Capra, Jean Hersholt, Floyd B. Odlum, William S. Paley and Edwin L. Weisl.

Complete Decree Reprints Available

Revised reprints of the final text of the New York case consent decree, the rules of arbitration, the Government's statement of its position and the map of arbitration jurisdictional districts are available upon request, without charge. Address your request to *Motion Picture Daily*, Rockefeller Center, New York City.

Plan British War Relief Fund Here

Plans for a British War Relief unit sponsored by New York branch managers are going forward at the suggestion of Major Albert Warner, vice-president of Warners.

Harry H. Buxbaum, 20th Century-Fox branch manager, who is chairman of the film exchange's committee for the New York and Brooklyn Federations of Jewish Charities, is directing the organizing plans. Warner addressed the committee at a meeting in Buxbaum's office early this week.

Pine, Thomas Form Producing Company

HOLLYWOOD, Dec. 4.—William H. Pine, associate producer for Cecil B. DeMille, and William C. Thomas, former producer at Paramount, today announced the formation of a new company, Picture Corp. of America. A deal has been set under which Paramount will release three films on the 1941-'42 schedule.

Pine, who still retains the DeMille post, is president, and Thomas executive vice-president in charge of production. The first of the three films, all aviation action pictures, will be "Power Dive," starring Richard Arlen, from an original by Paul Franklin and a screenplay by Maxwell Shane. Shooting will start in January at the Fine Arts Studio, company headquarters.

Terry DeLapp and Ed Churchill are in charge of advertising and publicity. The latter resigned from the Paramount publicity department yesterday to join DeLapp in his publicity organization.

Skouras Confers on Greek Relief Drive

HOLLYWOOD, Dec. 4.—Spyros Skouras, acting as president of the Greek War Relief Association, conferred here last night with Will Hays and members of the Producers' Association on means of raising $10,000,000 to aid Greece.

He conferred today with Samuel Goldwyn, chairman of the industry's permanent charities committee. Last night Skouras, accompanied by Charles Skouras, Arch Bowles and Peter Boudoures, discussed the matter with Joseph M. Schenck, George Schaefer, Joseph McDonough, Walter Wanger, B. B. Kahane, Edward Mannix, Cliff York, Nate Blumberg, Matthew Fox, Goldwyn, Jack L. Warner and Harry M. Warner.

Guild Play in New Haven

The Theatre Guild's new play, "Battle of Angels," by Tennessee Williams, will open at the Shubert, New Haven, Dec. 27, to be followed by a Boston engagement. Miriam Hopkins is the star.

Moray Due Dec. 16

Norman Moray, short subject sales manager for Warners, has left the Coast, after production conferences. While en route to the home office, where he is due Dec. 16, he will make stops at Warner exchanges.

Personal Mention

SAM DEMBOW, Paramount home office theatre executive, is at the Leroy Sanatorium, suffering from injuries received in an automobile accident Tuesday. His condition yesterday was reported as fair. He is being attended by Dr. Emanuel Stern.

•

WILL H. HAYS is scheduled to arrive here Monday following a three weeks visit in Hollywood. He left the Coast by train yesterday and will stop off at his Sullivan, Ind., home.

•

CHARLES SCHWARTZ, counsel for United Artists and Columbia, is scheduled to arrive from the Coast today.

•

JULES GIRDEN, Warner home office executive, will be operated on today at Manhattan General Hospital.

•

WILLIAM DORFMAN of the RKO studio is in Scranton.

•

WESLEY RUGGLES arrives from Miami by plane today and is scheduled to leave for the Coast next Tuesday or Wednesday. He is returning from a South American honeymoon.

•

MARY LOUISE MAHON of the Comerford booking office, Scranton, Pa., was recently married to THOMAS J. REAGAN, JR., in Dunmore, Pa.

•

JOSEPH CAWLEY, assistant manager of the West Side Theatre, Scranton, Pa., is recovering from a broken arm.

JOSEPH HAZEN, Warner attorney, has arrived on the Coast to confer with HARRY M. WARNER, president, and studio officials.

•

MORRIS KINZLER, JEFFREY BERNERD, GEORGE SCHWARTZ, EARLE W. HAMMONDS and ARTHUR LEE having lunch at the Tavern yesterday.

•

ROY DISNEY, HAL HORNE, KENNY BAKER, JOSEPH MOSKOWITZ and JACK GOETZ at Lindy's (51st St) yesterday for lunch.

•

MAURICE FREEMAN, SAM COSMAN, EDWARD PESKAY and RUBE JACKTER lunching yesterday at Lindy's (next to the Rivoli).

•

JAKE WILK, M. C. LEVEE, STEPHEN PALLOS, MAX GORDON, CHARLES SONIN, I. E. LOPERT, MARCUS HEIMAN, ARTHUR KRIM and TAYLOR HOLMES lunched yesterday at Sardi's.

•

CHARLES M. REAGAN, HARRY KAUFMAN, TED O'SHEA, MAX A. COHEN, JOHN W. HICKS and RUSSELL HOLMAN lunching yesterday at Nick's Hunting Room in the Astor.

•

ANTHONY PETRIE, assistant manager of Loew's State, New Orleans, is back at work after a three-month absence following an operation.

•

CELIA WACHS, relief cashier at the Roman and American, Pittston, Pa., was married to RAYMOND DELANEY, JR., there recently.

Cinema Lodge Elects Its Officers Tonight

Cinema Lodge of the B'nai B'rith will elect officers tonight at a meeting at the Hotel Astor. A financial report will be given the members on the organization's recent banquet and ball and the distribution of the proceeds to various charities and funds. A. W. Schwalberg, president, will be in charge of the meeting.

Circuit Profit $7,708

Loew's London Theatres, Ltd., of London, Ont., has reported a net income of $7,708 for the year ending Aug. 29. This compares with $11,816 for the previous fiscal year.

Resigns from Columbia

HOLLYWOOD, Dec. 4.—Ira Uhr, Columbia casting director for the last two years, resigned today.

Greenthal to Confer With U.A. Ad Heads

HOLLYWOOD, Dec. 4.—Monroe Greenthal, newly appointed director of advertising and publicity for United Artists, will confer with U. A. producers' publicity representatives at a studio luncheon tomorrow to discuss the company's exploitation and advertising program. He plans to leave for New York tomorrow by plane and expects to return here in several weeks.

Moss Plans Theatre

B. S. Moss, president of the Forest Hills Realty Corp., plans an amusement center, housing a film theatre, cafe, bowling alley and stores, in the Forest Hills, L. I., business section.

There will be an underground garage for several hundred cars, among other features.

The American Way

Dallas, Dec. 4

THE local Variety Club will hold its sixth annual New Year's Eve celebration in the grand ballroom of the Adolphus Hotel here. It will be known as "an American party." R. J. O'Donnell is chief barker of the club.

Paul Short will stage the entertainment, and Harry Sachs is chairman of reservations. The dinner menu, in keeping with the party's designation, will include: *Baltimore* blue points, *New England* vegetable soup, *Vermont* guinea hen with *Arkansas* crabapple, *Mississippi* peas, *Alabama* yams, *Michigan* string beans, *California* salad, *Georgia* cornbread, *Tennessee* biscuit, *Louisiana* molasses pie, *East Texas* pecans, *West Texas* cactus candy, *Pan American* coffee, *Rio Grande Valley* fruits.

La. Censor Threat Is Now Eliminated

New Orleans, Dec. 4.—The threat of censorship which has hung over Louisiana theatres since the late Huey Long had a law passed and threatened to invoke it unless the theatres restored vaudeville, has been dissipated by the passage of the "reorganization" amendment in the recent general election, it was learned today. The amendment does not provide for a censor board.

Broidy Starts First Tour of Exchanges

BOSTON, Dec. 4.—Samuel Broidy, newly appointed general sales manager for Monogram, who succeeds Edward A. Golden, left here today on his first official visit to company-owned exchanges in New York, Philadelphia and Washington.

Broidy was honored at a testimonial dinner here last night at the Hotel Statler. Hy Fine was toastmaster. Edward Morey presented a gift to Broidy on behalf of the local Variety Club, which he headed. Speakers included Martin Mullins, who succeeds Broidy as head of the Variety Club; Abe Yarchin, Morey Goldstein, William Kelly and Sam Pinanski. Maurice Wolf, M-G-M district manager, also paid tribute to Broidy.

Rites for Mrs. Robbins

NEW HAVEN, Dec. 4.—Funeral services were held today for Ruth C. Robbins, wife of A. E. Robbins, Jr., one of the operators of the Strand, Hamden, Conn., who died after a long illness. Robbins is president of the Hamden Chamber of Commerce.

Referee McNabb Dies

LOS ANGELES, Dec. 4.—Samuel W. McNabb, 71, Federal referee in bankruptcy, died today. He was in charge of the preliminary work of the Fox West Coast reorganization several years ago.

Joseph Gaites Dead

BOSTON, Dec. 4.—Joseph M. Gaites, 67, theatrical producer at one time associated with the Shuberts, died at the Deaconess Hospital here yesterday.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco. London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

'North West' Is Seattle Hit With $11,000

SEATTLE, Dec. 4.—"North West Mounted Police" at the Paramount, with prices slightly advanced, took $11,000. "Arise, My Love" and "Christmas in July" at the Fifth Avenue grossed $8,500. The weather was mild.

Estimated takings for the week ending Nov. 29:

"The Mark of Zorro" (20th-Fox)
"Young People" (20th-Fox)
BLUE MOUSE — (950) (30c-40c-50c) 7 days, 3rd week. Gross: $3,000. (Average, $4,000)

"Arise, My Love" (Para.)
"Christmas in July" (Para.)
FIFTH AVEENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $8,500. (Average, $7,000)

"The Westerner" (U. A.)
LIBERTY — (1,800) (30c-40c-50c-65c) 7 days, 4th week. Gross: $4,400. (Average, $5,000)

"Bitter Sweet" (M-G-M)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $3,600. (Average, $4,000)

"The Letter" (W. B.)
"Calling All Husbands" (Univ.)
ORPHEUM—(2,450) (30c-40c-50c) 4 days, 2nd week. Gross: $2,400. (Average, $6,000)

"Melody Ranch" (Repub.)
PALOMAR — (1,500) (20c-30c-40c-50c) 7 days. Vaudeville headed by Large & Morgner. Gross: $5,200. (Average, $5,000)

"Northwest Mounted Police" (Para.)
PARAMOUNT — (3,050) (40c-50c-65c) 7 days. Gross: $11,000. (Average, $6,000)

'Police' Cincinnati Lead with $8,500

CINCINNATI, Dec. 4.—"North West Mounted Police" took $8,500 in the second week at the RKO Capitol at an advanced scale. "You'll Find Out" gave the RKO Palace $11,500, and "The Letter" did $12,000 at the RKO Albee.

Estimated takings for the week ending Nov. 27-30:

"The Letter" (W.B.)
RKO ALBEE — (3,300) (33c-40c-50c) 7 days. Gross: $12,000. (Average, $12,000)

"You'll Find Out" (RKO)
RKO PALACE — (2,700) (33c-40c-50c) 7 days. Gross: $11,500. (Average, $10,000)

"Bitter Sweet" (M-G-M)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days, 2nd week. Gross: $3,800. (Average, $5,000)

"North West Mounted Police" (Para)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $8,500. (Average, at 33c-40c-50c, $5,500)

"One Night in the Tropics" (Univ.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $4,500

"Dreaming Out Loud" (RKO)
RKO LYRIC (1,400) (28c-33c-42c) 7 days. Gross: $2,600. (Average, $4,500)

"Girl from Havana" (Rep.)
"Comin' Round the Mountain" (Para.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,200. (Average, $1,200)

"Slightly Tempted" (Univ.)
"Laddie" (RKO)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $900. (Average, $800)

"Escape" (M-G-M)
KEITH'S—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $3,700 (Average, $5,000)

Plan Car Giveaway

SEATTLE, Dec. 4.—Seattle's five first run theatres, operated by three competing circuits, are combining on an automobile giveaway scheduled for Dec. 13. On that night, the Fifth Avenue, Orpheum and Paramount of the Hamrick-Evergreen circuit, John Danz's Palomar and Jensen-Von Herberg's Liberty jointly will raffle two cars.

Hollywood Review

"West of Pinto Basin"

(*Monogram*)

HOLLYWOOD, Dec. 4.—Ray "Crash" Corrigan, John "Dusty" King and Max "Alibi" Terhune manage to round up a gang of stagecoach robbers in this third of the "Range Busters" series produced by George Weeks for Monogram release.

The robbers had been preventing shipments of money from leaving the western town of Pinto Basin, and thus in turn forestalling erection of an irrigation project. An original story by Elmer Clifton, the screen adaptation was written by Earle Snell.

Besides the principals, the cast includes Jerry Smith, listed as "the yodeling cowboy of radio station WHO, Des Moines, Iowa;" Gwen Gaze, who provides romantic interest as the town banker, and Tristram Coffin, Jack Perrin and Carl Mathews. Smith sings two specialty songs, and Lew Porter and Johnny Lange wrote the film's featured song. S. Roy Luby directed.

Running time, 60 minutes. "G."* W. S.

**"G" denotes general classification.*

Providence Gives 'Escape' $14,500

PROVIDENCE, Dec. 4.—"Escape" and "Hullabaloo" at Loew's State played to $14,500, and the Majestic's double bill, "The Letter" and "Charter Pilot," drew $8,100.

Estimated takings for the week ending Nov. 27-28:

"Kit Carson" (U. A.)
"Slightly Tempted" (Univ.)
RKO ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $5,600. (Average, $6,000)

"Escape" (M-G-M)
"Hullabaloo" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $14,500. (Average, $11,000)

"The Letter" (W. B.)
"Charter Pilot" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $8,100. (Average, $7,000)

"Hit Parade of 1941" (Rep.)
"South of Karanga" (Univ.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $5,500. (Average, $6,000

"Wildcat Bus" (RKO)
METROPOLITAN—(3,045) (28c-39c-55c-75c) 3 days, Stage show with Blue Barron's orchestra; Marty May; Tip, Tap and Toe; Beverly Roberts; and the Top Hatters. Gross: $3,500. (Average, $7,000)

"The Mark of Zorro" (20th-Fox)
"Always a Bride" (W. B.)
CARLTON—(1,526) (28c-39c-50c) 7 days. Gross: $2,100. (Average, $3,500)

"Wagon Train" (RKO)
"Sky Devils" (Caddo) (Re-Issue)
FAY'S—(1,800) (15c-28c-39c) 6 days. Gross: $2,900. (7-day average, $2,500)

"Strike Up the Band" (M-G-M) (3 days)
"Pier 13" (20th-Fox) (3 days)
"Moon Over Burma" (Para.) (4 days)
"Third Finger, Left Hand" (M-G-M) (4 days)
EMPIRE—(2,200) (20c-28c) 2nd run. Gross: $1,800. (Average, $1,700)

Theatre Man Named R. I. Governor's Aide

PROVIDENCE, Dec. 4.—Governor-Elect Howard J. McGrath of Rhode Island has selected Thomas J. Meehan, former theatre executive, to be gubernatorial executive secretary when McGrath goes to the State House Jan. 1.

Meehan, after many years with the Poli Circuit, became city manager for RKO here in 1932, handling the RKO Albee and Victory Theatres. Later, he went to Boston to supervise RKO properties there. He returned briefly to manage the Albee again, and during the past few years has been public relations man for the local electric light company.

'Police' Garners $21,000 in Detroit

DETROIT, Dec. 4.—A good business was reported by the larger theatres despite inclement weather and snow. The Michigan grossed $21,000 with "North West Mounted Police" and "A Night at Earl Carroll's," while the Fox grossed $18,500 with "Tin Pan Alley" and "Blondie Plays Cupid."

Estimated takings for the week ending Nov. 28:

"The Mark of Zorro" (20th-Fox)
"Young People" (20th-Fox)
ADAMS—(1,600) (15c-50c) 7 days. Gross: $6,000. (Average, $6,000)

"No Time for Comedy" (W. B.)
"Foreign Correspondent" (U. A.)
FISHER—(2,700) (15c-50c) 7 days. Gross: $6,000. (Average, $7,000)

"Tin Pan Alley" (20th-Fox)
"Blondie Plays Cupid" (Col.)
FOX—(5,000) (15c-55c-65c) 7 days. Gross: $18,500. (Average, $15,000)

"North West Mounted Police" (Para.)
"A Night at Earl Carroll's" (Para.)
MICHIGAN — (4,000) (15c-44c-55c-65c) 7 days. Gross: $21,000. (Average, $12,000)

"Arise, My Love" (Para.)
"Flowing Gold" (W. B.)
PALMS — (2,700) (25c-39c-55c) 7 days. Gross: $7,000. (Average, $7,000)

"Bitter Sweet" (M-G-M)
"Sky Murder" (M-G-M)
UNITED ARTISTS—(2,000) (20c-39c-55c) 7 days, 2nd week. Gross: $7,500. (Average, $10,000)

'Find Out' at $9,300 Leads Indianapolis

INDIANAPOLIS, Dec. 4.—"You'll Find Out" and "Charter Pilot" did $9,300 at the Indiana in a week of moderate weather and excellent business. "Bitter Sweet" and "Blondie Plays Cupid" took $10,000 at Loew's.

Estimated takings for the week ending Nov. 28-29:

"North West Mounted Police" (Para.)
CIRCLE—(2,800) (28c-33c-44c) 7 days, 3rd week. Gross: $5,100. (Average, $6,000)

"You'll Find Out" (RKO)
"Charter Pilot" (20th-Fox)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $9,300. (Average, $5,500)

"Bitter Sweet" (M-G-M)
"Blondie Plays Cupid" (Col.)
LOEW'S — (2,800) (28c-33c-44c) 7 days. Gross: $10,000. (Average, $7,000)

"A Dispatch from Reuters" (W. B.)
LYRIC — (2,000) (28c-33c-44c) 7 days. Stage: Vaudeville, with Adrian Rollini Trio. Gross: $7,600. (Average, $8,000)

New Museum Department

A department of photography will be established by the Museum of Modern Art about the first of the year. Ansel Adams, California photographer, has been retained as consultant.

'Alley' Pulls Big $23,000 Frisco Gross

SAN FRANCISCO, Dec. 4.—"Tin Pan Alley" and "Haunted Honeymoon" took $23,000 in the first week at the Fox, while "The Great Dictator" scored $18,500 in the second week at the United Artists. The weather was good.

Estimated takings for the week ending Nov. 26-29:

"You'll Find Out" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $16,500. (Average, $15,000)

"Tin Pan Alley" (20th-Fox)
"Haunted Honeymoon" (M-G-M)
FOX — (5,000) (15c-35c-40c-50c) 7 days. Gross: $23,000. (Average, $16,000)

"Angels Over Broadway" (Col.)
"A Little Bit of Heaven" (Univ.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days. Gross: $7,000. (Average, $8,000)

"Bitter Sweet" (M-G-M)
"Charter Pilot" (20th-Fox)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days. Gross: $14,000. (Average, $11,500)

"The Great Dictator" (U. A.)
UNITED ARTISTS—(1,200) (75c-$1.10) 7 days, 2nd week. Gross: $18,500. (Average, $8,000)

"The Letter" (W. B.)
"Hit Parade of 1941" (Rep.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $6,400. (Average, $6,000)

"North West Mounted Police" (Para.)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $11,000. (Average, $12,000)

"Schubert's Serenade" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $700. (Average, $1,000)

'Bitter Sweet' Gets $12,500, Cleveland

CLEVELAND, Dec. 4.—In the face of competition from the Ice Follies and traveling World's Fair show, "Bitter Sweet" drew $12,500 at Loew's State, and "One Night in the Tropics," aided by the "Hollywood Revue" on the stage, took $15,000 at the RKO Palace.

Estimated takings for the week ending Nov. 28:

"Spring Parade" (Univ.)
ALLEN—(3,000) (33c-39c-47c) 9 days, 2nd week. Gross: $4,500. (Average, $4,000)

"The Letter" (W. B.)
WARNER'S HIPPDROME—(3,800) (33c-39c-47c) 9 days. Gross: $13,000. (Average, 7 days, $11,000)

"Mexican Spitfire Out West" (RKO)
"Yesterday's Heroes" (20th-Fox)
LAKE—(900) (28c-40c) 7 days. Gross: $900. (Average, $1,500)

"One Night in the Tropics" (Univ.)
RKO PALACE — (3,100) (33c-47c-55c) "Hollywood Revue" on stage, 7 days. Gross: $15,000. (Average, $13,500)

"Bitter Sweet" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $12,500. (Average, $11,000)

"Great Dictator" (U. A.)
LOEW'S STILLMAN—(1,900) (75c-$1.10) 7 days, 4th week. Gross: $6,000. (Average, $4,000)

French-Canadian Short

MONTREAL, Dec. 4.—"Un du Vingt Deuxieme" ("One of the 22nd Regiment"), a short in French for French-Canadian audiences, has been completed by Associated Screen Studios. It is being shown for the first time at the St. Denis Theatre here.

French Film Ready

"Hotel du Nord," French film starring Annabella and Louis Jouvet, will be released here the end of this month by Juno Films. Marcel Carne directed.


Encore!
HERE CO
HERE
HERE COM
All Together in the Bigg
Opportunity of A
HERE COM
Warners' Billion-Dollar Naval Spectacle th
Nationwide Opening



MES CAGNEY

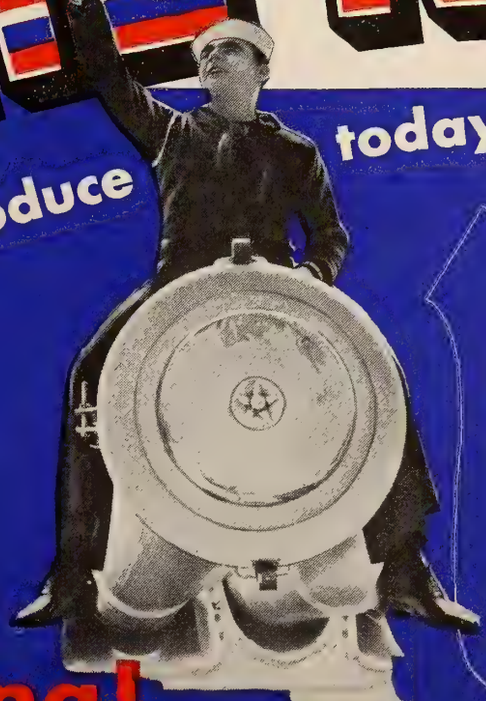
COMES O'BRIEN

ES THE U.S. FLEET

Pre-Booking

ime

S THE NAVY



o money could produce today!

You've never seen such perfect timing!

If ever you've had a reason to screen a picture for yourself this is it. You'll be amazed at the up-to-the-second timeliness of its story from first scene to final fadeout so

SCREEN IT IN A HURRY!

Now Starting!

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Nov. 8		Bitter Sweet (M) 110 *J. MacDonald* *Nelson Eddy*		Arise My Love (D) 4009 *Claudette Colbert* *Ray Milland*	Friendly Neighbors (M) *Weaver Bros. and Elviry*	Mexican Spitfire Out West (C) 111 *Lupe Velez*	Mark of Zorro (D) 117 *Tyrone Power* *Linda Darnell*		Sandy Gets Her Man (C) *Baby Sandy* *Stuart Erwin*	East of the River (D) *John Garfield* *Brenda Marshall*
Nov. 15	Beyond the Sacramento (O) *Bill Elliott* *Evelyn Keyes*	Gallant Sons (D) 111 *Jackie Cooper* *Bonita Granville*	Take Me Back to Oklahoma (O) *Tex Ritter*	Three Men from Texas (O) 4050 *William Boyd* *Russell Hayden*	Trail Blazers (O) *3 Mesquiteers* Melody Ranch (O)		Street of Memories (D) 102 *Lynne Roberts*		One Night in Tropics (M) *Nancy Kelly* *Alan Jones*	South of Suez (D) *George Brent* *Brenda Marshall*
Nov. 22	Escape to Glory (D) Lone Wolf Keeps a Date (D)	Little Nellie Kelly (M) 112 *Judy Garland* *George Murphy*	Phantom of Chinatown (D) *Keye Luke*		Texas Terrors (O) *Don "Red" Barry* *Julie Duncan*	You'll Find Out (M) 108 *Kay Kyser* *Ginny Simms*	Youth Will Be Served (D) 119 *Jane Withers* *Jane Darwell*	Long Voyage Home (D) *John Wayne* *Thomas Mitchell*	Meet the Wildcat (D) 5023 *Ralph Ballamy*	The Letter (D) *Bette Davis* *Herbert Marshall*
Nov. 29	Ellery Queen, Master Detective (D) *Ralph Bellamy*	Dr. Kildare's Crisis (D) *Lew Ayres* *L. Barrymore*	West of Pinto Basin (O) *Ray Corrigan* *Terhune & King*		Meet the Missus (C) *Higgins Family*	Remedy for Riches (D) *Jean Hersholt* *Dorothy Lovett*	Tin Pan Alley (M) 120 *Alice Faye* *Betty Grable*	Blackout (D) *Conrad Veidt* *Valorie Hobson*	The Bank Dick (C) *W. C. Fields* *Una Merkel*	Lady With Red Hair (D) *Miriam Hopkins* *Richard Ainley*
Dec. 6	Thundering Frontier (O) *Chas. Starrett* *Iris Meredith*	Go West (M) 114 *Marx Brothers* *Diana Lewis*		Night at Earl Carroll's (C) *Ken Murray* *Lillian Cornell*	Border Legion (O) *Roy Rogers* *Gabby Hayes*	The Fargo Kid (O) *Tim Holt*	Charter Pilot (D) 118 *Lloyd Nolan* *Lynn Bari*		Margie (C) 5026 *Tom Brown* *Nan Grey*	Invitation to a Murder (D) 520 *Thomas Mitchell* *Jeffrey Lynn*
Dec. 13	Great Plane Robbery (D) *Jack Holt* *Vicki Lester*	Comrade X (C) 113 *Clark Gable* *Hedy Lamarr*	Chamber of Horrors (D) *Leslie Banks*	Texas Rangers Ride Again (O) *John Howard* *Ellen Drew*	Barnyard Follies (C) *Mary Lee* *Rufe Davis*		Murder Over New York (D) 121 *Sidney Toler* *Ricardo Cortez*		Trail of the Vigilantes (D) *Franchot Tone* *B. Crawford*	She Couldn't Say No (C) 571 *Roger Pryor* *Eve Arden*
Dec. 20	Phantom Submarine (D) *Anita Louise* *Bruce Bennett*	Keeping Company (D) 116 *John Shelton*	Pride of the Bowery (D) *Bobby Jordan* *Leo Gorcey*		Behind the News (D) *Lloyd Nolan* *D. Davenport*	No, No, Nanette (M) *Anna Neagle* *Zasu Pitts*	Jennie (D) 122 *V. Gilmore* *William Henry*		Give Us Wings (D) *Dead End Kids*	Here Comes the Navy (D) 525 *James Cagney* *Pat O'Brien*
Dec. 27	Arizona (O) *Jean Arthur* *William Holden*	Flight Command (D) 117 *Robert Taylor* *Ruth Hussey*	Her First Romance (D) *Edith Fellows* *E. Evans*	North West Mounted Police (D) 3946 Love Thy Neighbor (C)	Lone Star Raiders (O) *3 Mesquitters*	Kitty Foyle (D) *Ginger Rogers* *Dennis Morgan*	Chad Hanna (D) 123 *Henry Fonda* *Dorothy Lamour*	Thief of Bagdad (D) *Sabu* *June Duprez*	Invisible Woman (C) *J. Barrymore* *Virginia Bruce*	Santa Fe Trail (D) 551 *Errol Flynn* *O. De Havilland*
Jan. 3	This Thing Called Love (C) Wildcat of Tucson (O)	Maisie Was a Lady (C) *Ann Sothern* *Lew Ayres*	Rolling Home to Texas (O) *Tex Ritter*	Second Chorus (C) *Fred Astaire* *Paulette Goddard*	Bowery Boy (D) *Dennis O'Keefe* *L. Campbell*		Hudson's Bay (D) 115 *Paul Muni* *Virginia Field*	Son of Monte Cristo (D) *Joan Bennett* *Louis Haywood*	Where Did You Get That Girl (D) Lucky Devils (D)	Four Mothers (D) 503 *Lane Sisters* *Jeffrey Lynn*
Jan. 10	Pinto Kid (O) *Chas. Starrett* *Louise Currie*	Philadelphia Story (C) *Grant-Hepburn* *James Stewart*	You're Out of Luck (D) Trail of the Silver Spurs (O)	Doomed Caravan (O) *Bill Boyd* *Russell Hayden*	Wyoming Wildcat (O) *Don "Red" Barry* *Julie Duncan*		Michael Shane, Private Detective (D) *Lloyd Nolan*		San Francisco Docks (D) *Burgess Meredith* *Irene Hervey*	
Jan. 17	Face Behind the Mask (D) *Peter Lorre* *Evelyn Keyes*	Wild Man of Borneo (C) *Frank Morgan* *Mary Howard*		Victory (D) *Fredric March* *Betty Field*	Robin Hood of the Pecos (O) *Roy Rogers* *Gabby Hayes*		Romance of the Rio Grande (O) *Cesar Romero* *P. Morrison*		Six Lessons from Madame LaZonga (M) *Lupe Velez*	
Jan. 24	Legacy (D) *Warner Baxter* *Ingrid Bergman* *Fay Wray*	Come Live With Me (C) *James Stewart* *Hedy Lamarr*		Aldrich Family in Life with Henry (C) *Jackie Cooper*			Western Union (D) *Dean Jagger* *Robert Young*		Back Street (D) *Charles Boyer* *M. Sullavan*	

PARAMOUNT'S DRAFTED the best ideas in show business for your screens!

November 29
Color
'UNUSUAL OCCUPATIONS NO. 2'

November 29
Animated Antics Cartoon
'MOMMY LOVES PUPPY'

December 6
Grantland Rice Sportlight
'MARINE ROUND-UP'

December 13
Popeye The Sailor
'POPEYE PRESENTS EUGENE, THE JEEP'

100% BOX OFFICE TESTED!

Warners and Erpi End License Pacts

Termination by mutual agreement of all existing license agreements between Warners and Erpi was announced yesterday by Harry M. Warner, president of Warners.

The picture company discontinued the use of Western Electric recording equipment several years ago, and since has been using RCA Photophone equipment. The license agreements with Erpi were 10-year contracts and had about four more years to run. Only a "nominal, legal consideration" was tendered Erpi by Warners for the discontinuance of the contracts, Warner spokesmen said.

The contracts involved cover recording equipment only, since Erpi withdrew from the reproducing licensing field several years ago. The termination of the contracts was effective yesterday and applied to those in existence between subsidiaries of the two companies, foreign as well as domestic, including English subsidiaries.

Officials of both companies said that no litigation is involved in the settlement agreement, and emphasized that it had no significance other than a mutual agreement to dispense with contracts which were not being used.

Helen Hayes, Evans Guide Fund Supper

Helen Hayes will act as hostess and Maurice Evans as host at a buffet supper next Sunday, the first in a series to be held each Sunday evening throughout the Winter at the Hotel Algonquin by the Theatre Wing of the Allied War Relief to raise money for mobile cantonments for the British.

The cast of "Twelfth Night," in which Miss Hayes and Evans are starred, will attend the supper. The cost is $2, of which all but 60 cents goes to the relief fund.

New Barry Play Ready

An important Theatre Guild play will be Philip Barry's play with music, "Liberty Jones," which will go into rehearsal this month. Barry's comedy, "The Philadelphia Story," has been made into a film by M-G-M. The play is on tour.

Schwartz Leaves Brandt

Arthur Schwartz has resigned as Brandt circuit head booker to enter the bakery business. He will be given a farewell luncheon Dec. 17 at the Hotel Astor. He will be succeeded by his assistant, Joseph Ingber.

Boretz Play Booked

"The Hard Way," new play by Allen Boretz, produced by Boretz and Morris Helprin, has been booked for the Plymouth, Boston, for a week prior to the Broadway opening on Jan. 7.

Authoress at 13

Gloria Sileo, 13-year-old daughter of Jimmy and Columbia Sileo, theatrical photographers, has completed a mystery novel, "The Footsteps on the Gravel Path," which she wrote in 55 days.

'Awful Substitute for Art', Says Beecham of Screen

(Continued from page 1)

In its place what did he find? "I find," he said, "that most terrifying, humiliating, disconcerting, ear-splitting and sight-unnerving phenomenon called the American cinema."

Sir Thomas, who had been expected to speak about music and musicians, excused himself from discussing what was professional, and instead gave as his subject "The Decline and Fall of Thespis."

The speaker laid it down to his hearers that the cinema's notorious popularity had ousted the spoken drama, saying: "This awful substitution for art is the only thing that you and your children have to see and listen to in this great British Dominion, and I have to assume that you prefer this."

Sir Thomas' remarks were spoken generally, but might have been taken as a local slap, for professional drama and the stage in Montreal is almost absolutely a dead issue. Road companies take the "portage" route about Montreal in order to play Toronto and other westerly points.

Sir Thomas Beecham is the son of Joseph Beecham, who amassed a fortune of nearly $150,000,000 in the manufacture of pills for pale people.

'Bitter Sweet' Gets $17,500 in St. Louis

ST. LOUIS, Dec. 4.—"Bitter Sweet," grossed $17,500 at Loew's State. "The Letter" and "The Mark of Zorro" drew $6000 at the Missouri.

Estimated takings for the week ending Nov. 28:

"You'll Find Out" (RKO)
"Christmas in July" (Para.)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $11,000. (Average, $11,500)
"Moon Over Burma" (Para.)
"Melody in Moonlight" (Rep.)
FOX—(5,038) (28c-39c-44c-56c) 7 days. Gross: $11,000. (Average, $11,000)
"Bitter Sweet" (M-G-M)
"Gold Rush Maisie" (M-G-M)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $17,500. (Average, $13,000)
"The Letter" (W. B.)
"Mark of Zorro" (20th-Fox)
MISSOURI—(3,514) (28c-39c-44c-56c) 7 days. Gross: $6,000. (Average, $4,000)
"East of the River" (W. B.)
"Who Killed Aunt Maggie" (Rep.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $3,200. (Average, $2,600)

'Police' at $11,700 Is Best in Buffalo

BUFFALO, Dec. 4.—"North West Mounted Police" drew a strong $11,700 at the Great Lakes. "Tin Pan Alley" and "Gallant Sons" at the Buffalo took $13,800.

Estimated takings for the week ending Nov. 30:

"Tin Pan Alley" (20th-Fox)
"Gallant Sons" (M-G-M)
BUFFALO—(3,489) (35c-60c) 7 days. Gross: $13,800. (Average, $12,000)
"North West Mounted Police" (Para.)
GREAT LAKES—(3,000) (44c-65c) 7 days. Gross: $11,700. (Average at 35c-55c, $7,500)
"Kit Carson" (U. A.)
"Father Is a Prince" (W. B.)
HIPPODROME—(2,100) (30c-50c) 7 days. Gross: $6,100. (Average, $6,800)
"You'll Find Out" (RKO)
"Dr. Christian Meets the Women" (RKO)
TWENTIETH CENTURY—(3,000) (30c-40c) 7 days. Gross: $5,900. (Average, $7,500)
"Escape to Glory" (Col.)
"So You Won't Talk" (Col.)
LAFAYETTE—(3,000) (30c-40c) 7 days. Gross: $5,000. (Average, $6,300)

New Savo Comedy Will Open Tonight

The new Jimmy Savo comedy, "Mum's the Word," featuring Hiram Sherman, opens tonight at the Belmont. The play was produced by Savo, Inc., and written and directed by Savo.

Film Seizure Held Illegal in Alabama

BIRMINGHAM, Ala., Dec. 4.—The Birmingham ordinance which permits police to ban a picture deemed indecent does not permit seizing of the film or locking the doors of the theatre, the Alabama Supreme Court ruled in permitting contempt of court proceedings to be filed against five Birmingham city officials.

The action grew out of seizure of a film from the Galax Theatre which was attempting to show "French Girls' Club." The theatre obtained a temporary injunction against the police, who went ahead anyhow and seized the film and closed the house temporarily. The theatre then filed contempt proceedings which the city endeavored to block by a writ of prohibition.

Remodel Buffalo House

BUFFALO, Dec. 4.—The Granada Theatre has been remodeled.

Col. Is Ready To Challenge U. S. Decree

(Continued from page 1)

action. That order, also, will be heard today.

In addition to opposing the Government's application for leave to file an amended complaint, Columbia will also seek the dismissal of the Government's pending suit on the ground that the consent decree in that case removes any cause of action which the Government might have had against the three smaller companies.

No Right to Object, Said Court

If this procedure is unsuccessful, Columbia, through its counsel, Schwartz & Frohlich, is prepared to attack the legality of the decree itself. The court held at the hearing on the decree, Nov. 16, that the non-consenting companies, being outside of the decree and not bound by it, did not have the right to object to it.

Now, in seeking to file its amended complaint against Columbia, Universal and United Artists, the Government states that the purpose of the action will be to bring the three companies under the decree. This, attorneys believe, opens the way to a direct attack on the decree's legality by any of the non-consenting companies.

Reopen in Columbia, S. C.

COLUMBIA, S. C., Dec. 4. — The Strand, dark since it was damaged by fire several weeks ago has reopened.



FCC Approval Is Sought on 4 FM Stations

WASHINGTON, Dec. 4.—Applications for construction permits for four additional FM broadcasting stations have been filed with the Federal Communications Commission.

The requests were submitted by the Mercer Broadcasting Co., seeking a 44,700-kilocycle station in Ewing Township, N. J., to cover 3,700 square miles with a population of 910,000; the New Jersey Broadcasting Corp., for a 47,900-kilocycle station in New York to cover 8,900 square miles with a population of 10,400,000; the Pennsylvania Broadcasting Co., for a 44,700-kilocycle station in Philadelphia to cover 9,585 square miles with a population of 4,474,940, and Cherry & Webb Broadcasting Co., for a 47,500-kilocycle station at Providence, to cover 6,207 square miles with a population of 4,230,838.

Ask Construction Permits

The commission also received applications for construction permits from the Colonial Broadcasting Corp., for a new 1,200-kilocycle, 250-watt station at Norfolk, Va., and the Nashville Radio Corp., for a 1,380-kilocycle, 1,000-watt station at Nashville.

Changes in facilities were requested by Stations WCLE, Cleveland, asking for a change of frequency from 610 to 640 kilocycles, extension of time from day to limited, and increase of power from 500 to 1,000 watts; WAKR, Akron, Ohio, for increase of power from 1,000 to 5,000 watts, and KDRO, Sedalia, Mo., for change of frequency from 1,500 to 800 kilocycles, change of time from unlimited to day and increase of power from 250 to 1,000 watts.

Many Plays Set for Philadelphia Public

PHILADELPHIA, Dec. 4.—Hollywood names head an abundance of legitimate fare here for the next three months, according to announcement of bookings for the Forrest and Locust St. Theatres by general manager Lawrence Shubert Lawrence. The Forrest offers a return engagement of "Dubarry Was A Lady" this week, following on Dec. 11 with "Pal Joey," for 10 days. Dennis King bows as star and producer of a new musical play, as yet untitled, on Dec. 26. January bookings for the Forrest bring "Crazy With the Heat" on Jan. 13, and "The Man Who Came To Dinner" on Jan. 20 for two weeks. "Hellzapoppin" is scheduled to open Feb. 17 for an indefinite run.

At the Locust St., following the current run of "Ladies in Retirement," "Off the Record" will open on Dec. 9. Dante follows on Dec. 23 for two weeks with his "Sim Sala Bim" magic show; "Separate Rooms" is set for Jan. 6, and "The Time of Your Life" opens Jan. 27.

Other bookings for either the Forrest or Locust St., although definite dates have not been set as yet, include "The Male Animal," "Kind Lady," revival of "Blind Alley," revival of "Blossom Time" and others.

Off the Antenna

A FUND in excess of $800,000 for the Motion Picture Relief Fund's proposed home for aged performers was assured yesterday when Gulf Oil renewed the "Screen Guild Theatre" over CBS for the remaining 26 weeks of the season. Screen actors perform without payment on the show and the Fund collects $10,000 weekly from the sponsor. The programs started in 1938 and more than 700 performers, directors and writers either participated directly or pledged their aid when required. Construction of the home is now assured, Jean Hersholt, president of the Fund, declared when he learned of the renewal.

• • •

Purely Personal: *Lester Gottlieb, Mutual publicity director, left for Washington yesterday to supervise details of the broadcast of the professional football championship game there Sunday. On his way back he will visit several Mutual stations and will return next Wednesday . . . Arthur Perles of the CBS publicity staff returned to his desk yesterday after a week's illness . . . Reiland Quinn, general manager of KYA, San Francisco, until three months ago, has returned to the station as program manager . . . Pat O'Brien, Warner star, will be guest on Bill Stern's "Sports Newsreel" over NBC-Blue at 9:45 P. M. Sunday . . . Madge Evans will be guest of Adelaide Hawley on "Woman's Page of the Air" over WABC at 8:45 A. M. Wednesday.*

• • •

NBC is experimenting with a new type of filter which will make it possible to use the same antenna for both television and FM transmission. In view of the fact that both types of broadcasting require the tallest possible antenna located close to the center of a trading area, the use of one antenna for both may solve a lot of headaches. Attachment of a filter is expected to do the trick. NBC's television and FM transmitters are located atop the Empire State Building.

• • •

Construction of studios and antenna for a television outlet for KFRC, San Francisco, is scheduled to start soon after the first of the year, according to William Pabst, station manager. The exact starting date will depend on reports of tests now being made at W6XAO, Don Lee station in Los Angeles. . . . WDSU, New Orleans, is scheduled to start operations on 5,000 watts on New Year's Day when Sugar Bowl Day is celebrated. New studios in the Hotel Monteleone are also planned.

Theatre Changes

Town to Get First House

NEWMANSTOWN, Pa., Dec. 4.—This eastern Pennsylvania community will get its first film house before the close of the year when Mark Rubinsky takes over the town firehouse, renovates it and renames it the Lyric.

Loew N. Y. House to Open

Loew's American, new 2,000-seat theatre in the Parkchester development in the Bronx, will be opened about the end of this month.

Reopens Columbus Suburban

COLUMBUS, Ohio, Dec. 4. — The suburban Bexley, previously operated by the Lindenberg interests, but closed a few months ago has been reopened by Fred W. Rowlands, who acquired an interest in the house.

K. C. Suburban Is Closed

KANSAS CITY, Dec. 4.—The St. John, suburban house here, has been closed. E. Rolsky, who operates the National, and who had the St. John for some years, disposed of his interests in the theatre and building recently. Later the lease was taken over by C. A. Schultz of Commonwealth Theatres.

Plans Connecticut House

BRISTOL Conn., Dec. 4. — Joseph Faith, exhibitor in Terryville, Unionville, and Collinsville, Conn., plans to convert Red Men's Hall into a 700-seat theatre.

Takes Pennsylvania House

NURENBERG, Pa., Dec. 4.—Peter Magazzu has taken over the Rex, which will be reopened as the Andrea.

Shift Hamrick Managers

SEATTLE, Dec. 4. — A number of manager changes have been made by Hamrick-Evergreen Theatres here. William Hamrick, former manager of the Coliseum, has been advanced to an executive post in the circuit offices and is being replaced by Marvin Fox, former assistant at that house. Fox's post is being taken by John Bardue, recently a doorman at the Paramount. Fax Duncan, former manager of the Blue Mouse, and Clyde Strout, former assistant manager at the Paramount, are exchanging posts.

Manages Danz Houses

SEATTLE, Dec. 4.—Gene Aldrich has been appointed manager of John Danz' Florence and Circle Theatres here. He formerly was manager of the Unique Theatre in Spokane.

Remodel Frisco Theatre

SAN FRANCISCO, Dec. 4.—The lobby of Dan McLean's Embassy Theatre has been remodeled, improvements including installation of a lobby candy counter.

Iowa House Nearly Ready

GRUNDY CENTER, Ia., Dec. 4.—The Center Theatre, chosen as the name of the theatre that has been under construction here to replace the New Grundy, which was destroyed by fire, will be completed shortly. John Marshall is manager.

Reopens Fowler, Ind., House

FOWLER Ind., Dec. 4.—The Dreamland has been reopened by Mrs. J. P. Griffis, who will operate and manage it.

A Problem Solved

San Francisco, Dec. 4.—Downtown exhibitors are jubilant at plans of a city-approved corporation to construct a huge underground garage beneath Union Square, opposite the St. Francis Hotel. The city's acute parking problem will be eased with parking space for at least 5,000 cars, with work on the $3,000,000 project to start in the Spring.

Prepare New Radio Giveaway Program

Another big giveaway radio program is being prepared by Stack-Goble, advertising agency which handles the "Pot o' Gold" show for Tums. Hal Kemp, radio director for Stack-Goble, admitted yesterday that a plan is under consideration to blanket the metropolitan area with the show, which would give away $500 weekly, by using the three major non-network stations, WNEW, WMCA and WHN, simultaneously. The program probably will be heard Wednesday nights.

Although Kemp asserted that no contracts had been signed yet, he said that the format would be exactly like that of "Pot o' Gold" and for the same sponsor, except that Tommy Tucker's band would be used instead of Horace Heidt and the giveaway would be smaller. "Pot o' Gold" gives away $1,000 weekly to a telephone subscriber selected by a spinning wheel, provided there is someone home to answer the telephone.

The decision to try a local show was based on the heavy concentration of telephones in this area, it was said. Use of three major stations simultaneously would be something of a precedent. Kemp said the show would have a studio audience to watch the selections but denied reports that the program would emanate from a Broadway theatre.

Canada Music Fee Appeal Tomorrow

TOTONTO, Dec. 4.—The proposed license fees of the Canadian Performing Rights Society for 1941 will be received by the Copyright Appeal Board of the Dominion Government on Friday, when objections to any fee revisions will be accepted from users of musical work.

The new schedule is understood to include increased rates for broadcasters and hotels, but fees for theatres are understood to be unchanged from 19 0. Representatives of independent radio stations and hotels are preparing to protest the new rates. The Canadian Broadcasting Corp. stated today that the Government network is not affected by the increased rates of the society.

Renews CBS Program

Prudential Insurance Co. of America yesterday renewed "When a Girl Marries" over 51 CBS stations. The program is heard Mondays through Fridays at 12:15 P. M.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 111 NEW YORK, U. S. A., FRIDAY, DECEMBER 6, 1940 TEN CENTS

Holdovers on Broadway Beat Cold and Snow

Grosses Generally Good; 'Tin Pan,' 'Letter' Held

Holdover attractions drew strong grosses at Broadway first runs the past week despite a sharp drop in temperature and a snow storm which blanketed the metropolitan area. The week's take was sizeable despite the fact that the films at most of the major houses were holdovers.

"Tin Pan Alley" with a stage show at the Roxy continued big and drew an estimated $47,200 for its second week. The third week started yesterday, and the film may be held a fourth.

Another big holdover attraction was "The Letter" with Ozzie Nelson's band and Harriet Hilliard on the stage at the Strand which drew an estimated $43,000 for its second week. Humphrey Bogart will head a new stage show, beginning today.

"The Great Dictator" wound up its seven-week run at the Capitol with an estimated $23,000 for the final week and was succeeded by the "Son of Monte Cristo" on Wednesday. Meanwhile, at the Astor, "The Great Dictator" entered upon its eighth week

(*Continued on page* 12)

Kent Gives $1,000 For Greek Relief

Spyros Skouras, head of National Theatres and national president of the Greek War Relief Association, returned yesterday from a trip across the country in behalf of the drive for funds, and disclosed a gift to the fund of $1,000 from Sidney R. Kent, president of 20th Century-Fox.

Among the members of the National Citizens Committee, which is sponsoring the nationwide drive are: Harry M. Warner, Jack L. Warner,

(*Continued on page* 12)

Arthur Israel, Jr., Elected Lodge Head

Arthur Israel, Jr., of Paramount was elected president of the Cinema Lodge, B'nai B'rith, at a meeting at the Hotel Astor last night.

A. W. Schwalberg, retiring president, by a resolution adopted unanimously was elected honorary president for life. Schwalberg organized the lodge a year ago.

Others elected were: vice-presidents, Abel Vigard, Warners; Leo Jaffee,

(*Continued on page* 12)

Live Talent Show Trend Under Way At N. Y. Stations

A trend toward live talent programs and away from recordings appears to be in progress among New York stations, with WNEW and WOV leading the way.

Two reasons are generally ascribed for the move in radio circles. First is the fact that the FCC has been granting permits for increased power, and with a wider audience there is a natural and resultant drive for increased prestige.

Second is the unsettled music situation, spokesmen said. The independents heretofore have relied heavily on the popularity of their recorded popular music programs. A ban on all Ascap music would cost the independents a large part of their audiences, since they cannot compete with the 50,000-watters on dramatic, quiz or comedy series, it was stated. What is likely to happen is that those independent stations which can shoulder the additional financial burden will take licenses from both Ascap and BMI, according to reports in radio circles.

If they do, the solid front which the broadcasters heretofore have maintained will be broken and it may be that the independents will be able to capture a large part of the network stations' audience. Ascap, of course, is hoping for such a development, and broadcasters charge that this desire was a major reason for granting lowered license fees to the independents.

Indicative of the trend, WNEW yesterday announced a musical show with Dick Gilbert, editor of *Metronome*, and Merle Pitt's band, for a new six-times weekly show immediately following Martin Block's "Make Believe Ballroom," which consists entirely of records.

U. S. DECREE MAY GO TO HIGH COURT

Columbia Opens Attack on Pact with Appeal To U. S. Supreme Court Indicated; Goddard Grants Plea for 'Little Three' Complaint

Columbia opened its attack on the legality of the consent decree at a hearing before Judge Henry W. Goddard in U. S. District Court yesterday, indicating that it may carry its fight on appeal to the United States Supreme Court.

At the conclusion of the hearing, Judge Goddard granted the Government permission to file an amended complaint against the non-consenting companies, United Artists, Columbia, and Universal, over their protests. The "Little Three" were given to Feb. 5 to file answers to the complaint.

The court also denied Columbia's motion to dismiss the Government's original complaint. If this motion had been granted by the court, it would have precluded the filing of the amended complaint. A third motion by the non-consenting companies which asked the court to enjoin the Government from proceeding with its anti-trust suits in Buffalo, Nashville and Oklahoma City until the New York suit has been disposed of will be decided by Judge Goddard on Dec. 13.

The court indicated that it would deny the latter motion but urged Assistant Attorney General Robert Wright, who appeared for the Government, to work out a "fair" procedure with counsel for the three non-consenting companies on trial of the various suits. If no acceptable procedure is agreed upon during the next week, Judge Goddard indicated he would postpone proceedings in the New York suit for the convenience of the defendant companies, in the event they are pressed by the Government to prepare for trial in any of the out-of-town suits.

More than a year ago, the Government entered into an agreement with

(*Continued on page* 4)

Gotshal, Leidesdorf Will Aid Arbitration

Sylvan Gotshal and S. D. Leidesdorf, members of the board of the American Arbitration Association and of its administrative committee for the the industry's arbitration system, have agreed to serve in advisory capacities on legal and financial matters growing out of the arbitration provisions of the consent decree, the A.A.A. announced yesterday.

Gotshal, a member of the New York law firm of Weil, Gotshal and Manges, will advise the administrative committee on leases and other legal matters involved in the committee's decree operations. Leidesdorf, a CPA, will advise on the financial system which the A.A.A. will set up for the industry arbitration system. Neither will receive compensation for these services.

J. Nobel Braden, executive secretary of the A.A.A., who now is engaged in setting up the 31 local boards for the industry, has been designated executive director of those tribunals by the A.A.A.

Columbia Offers to Join Industry Arbitration if U. S. Dismisses Suit

Columbia will voluntarily agree to join in the industry's arbitration system if the Government anti-trust suit against it is dismissed, but it cannot accept a consent decree that forces it to sell in blocks of five, Louis D. Frohlich, of Schwartz & Frohlich, Columbia counsel, told Federal Judge Henry W. Goddard at the hearing in District Court yesterday.

"It is impossible for us to sell that way because we are unable to finance operations on that basis as the big companies can," Frohlich said of the blocks of five sales method. "It is unfair of the Government to try to force us into such a decree."

Decency Pledge Will Be Renewed Sunday

The Legion of Decency Pledge concerning motion pictures will be renewed on Sunday in Catholic churches throughout the United States.

The renewal will be in response to the invitation of the Bishops' Committee on Motion Pictures, of which the Most Reverend John T. McNicholas, Archbishop of Cincinnati, is chairman.

Coast Flashes

Hollywood, Dec. 5

JOHN HAY WHITNEY, representing the National Defense Advisory Committee, and members of the producers' committee on national defense headed by Y. Frank Freeman, president of the Producers' Association, met today on matters pertaining to the Industry's participation in the welding of Pan-American Interests.

•

Monroe Greenthal, newly appointed United Artists advertising and publicity director, tonight left by plane for New York after a luncheon meeting with U. A. producers' publicity directors at which unity of operations was discussed. A special still photographic service and coordination of publicity efforts were among matters taken up. The publicity directors presented Greenthal with a silver pen and desk set.

•

Paul Sparks, assistant casting director at Columbia, today was appointed casting director to succeed Ira Uhr, who resigned yesterday. The casting department will be under the supervision of Max Arnow, who has been made special assistant to Harry Cohn and Sam Briskin, studio chiefs.

Chicago's Censors Upheld at Hearing

CHICAGO, Dec. 5.—Chicago's censor ordinance was upheld yesterday by Rev. Phillip Yarrow at the first public hearing by the City Council's judiciary committee on a proposed change in the censor board ordinance.

The Reverend Yarrow, reform organization leader, said the National Legion of Decency was the most important factor in discouraging offensive films.

Others heard were John Lapp, local Civil Liberties Union head, who favored the amendment, and representatives of parent-teachers' clubs, women's groups and Juvenile Protective Association leaders.

Spigelgass Due Here

Leonard Spigelgass will arrive from the Coast by plane tomorrow for conferences with Jules Levey and Damon Runyon on Levey's next production, "Butch Minds the Baby," for Universal release.

Lindy's INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

HENRY L. NATHANSON, general manager of Regal Films, Toronto, and MRS. NATHANSON, and GORDON LIGHTSTONE of that company are in town.

•

SAM DEMBOW yesterday was reported as resting comfortably at LeRoy Sanitorium where he was taken Tuesday following a traffic accident.

•

JACK COHN, JOSEPH VOGEL, ABE SCHNEIDER, LOU WEINBERG, RUBE JACKTER and ABE MONTAGUE lunching at Lindy's (next to the Rivoli) yesterday .

•

F. J. A. MCCARTHY, Universal Eastern division sales manager, is on a tour of Eastern and Southern exchanges in connection with the Scully sales drive. He is due back early next week.

•

WILLIAM F. RODGERS, HOWARD DIETZ, TED O'SHEA, TOM CONNORS, MAX A. COHEN, DAVE LEVY, OWEN DAVIS and GEORGE WELTNER lunching at Nick's Hunting Room in the Astor yesterday.

L. M. DEVANEY, RKO Canadian division sales manager, is at the home office for conferences with NED E. DEPINET, vice-president, and other executives.

•

MOREY MARCUS, M-G-M manager for Japan, arrived from the Coast yesterday. He is here for a vacation and home office conferences.

•

B. S. MOSS, HARRY BRANDT, ARTHUR GOTTLIEB and JOSEPH MOSKOWITZ having lunch yesterday at Lindy's (51st St.).

•

ADOLPH ZUKOR, AUSTIN KEOUGH, BARNEY BALABAN, LOUIS PHILLIPS, JACOB WILK, DAVE BLUM, TOM FIZDALE, JOHN D. HERTZ, JR., GUY BOLTON and JOHN GOLDEN lunching yesterday at Sardi's.

•

WILLIAM J. HEINEMAN, JAMES JORDAN, SAM CITRON, MORRIS HELPRIN and DOUGLAS ROTHACKER having lunch yesterday at the Tavern.

Mexican Labor Ban Cancels 'Breakfast'

MEXICO CITY, Dec. 5.—"He Stayed for Breakfast" has been banned from exhibition in Mexico by the powerful Confederation of Mexican Workers, which is stronger than the Government film censors. On the ground that this picture spoofs Communism, the Confederation put its foot down on it just as the run was scheduled to start at the Cine Teatro Alameda here, causing the exhibitor heavy loss on extensive publicity. The Alameda had to make a swift switch to another film at the last minute.

Although it indicated recently that it would lift its ban on "Ninotchka," the Confederation continues to prevent exhibitions of that film. Both these pictures were approved by the film censors. But as the Confederation controls all theatre workers, it can do as it pleases with regard to what pictures shall or shall not be exhibited.

Pathe Men Leaving To Make S. A. Shorts

Clarence Ellis, production sound manager for Pathe News; Harry Smith, cameraman, and Robert Donahue, Jr., assistant cameraman, will sail on the *Santa Lucia* today for South America to film a series of short subjects. The pictures will be taken principally in Chile, Argentina and Brazil.

Saunders' Father, 85, Dies in Pittsburgh

PITTSBURGH, Dec. 5. — Maurice E. Saunders, 85, father of Edward M. Saunders, M-G-M Western sales manager, died at his home here today of heart disease. Services will be held tomorrow at St. Raphael's Church here. Survivors include another son, William, and a daughter, Stella. The M-G-M executive has been here since Monday.

Stroheim Guest at Testimonial Dinner

Erich von Stroheim was given a dinner in the Yacht Room of the Hotel Astor last night, celebrating his return to this country from Europe.

Among the guests were Mr. and Mrs. Thomas Mann, Erika and Klaus Mann, Gifford Cochrane, Mrs. Howard Dietz, Clifford Odets, P. A. Powers, I. E. Lopert and Henri Bernstein.

'Boom' in Providence

PROVIDENCE, Dec. 5.—"Boom Town" opened at Loew's State here today at 65 cents top. Despite bad weather, the opening was strong. Edward McBride, manager, arranged a radio broadcast from the lobby, with Mrs. William T. O'Rourke, mother of Ruth Hussey of the cast of the film, and others making talks.

Pickets Picketing Pickets

Birmingham, Ala., Dec. 5.

TWO men last week picketed the Alabama Theatre here as unfair to Sign Painters Union Local 72 (American Federation of Labor).

Said the signs: "The theatre industry is prosperous yet the theatres pay less than a living wage."

Said Francis Falkenburg, manager of the Alabama: "We pay our sign painters $40 a week, $5 more than the union scale."

Said signs carried by theatre-hired rival pickets: "It is unfair to miss this picture."

Newsreel Parade

PRESIDENT ROOSEVELT sailing from Miami on the Tuscaloosa, *an Italian-British battle in the Mediterranean, Henry A. Wallace in Mexico and other current events give the weekend issues high news value. The contents:*

MOVIETONE NEWS, No. 26.—Roosevelt sails from Miami. Healthiest children in Chicago. Choose "queen of tobacco" in Kentucky. British ships down Italian plane in the Mediterranean. Italian air attack on England. Camacho and Wallace in Mexico. Walker urges early Christmas mailing. Bathing fashions. Massachusetts students learn poise. Female expert at punching the bag.

NEWS OF THE DAY, No. 224.—British fleet in the Mediterranean battles Italian bombers. Italian raiders over London. Roosevelt sails. 4-H club meets in Chicago. Wallace feted in Mexico. Opera opens in New York. Giants-Dodgers football game.

PARAMOUNT NEWS, No. 29.—Roosevelt sails. Wallace visits Mexico. New climbing boat in New Orleans. Physical culture students in Massachusetts. Gracie Allen and George Burns with Navy officials. British ships off African coast. Redskins-Eagles football. O'Brien, grid star, becomes G-Man.

RKO PATHE NEWS, No. 29.—Roosevelt sails. Italian bombers raid British fleet. 4-H club convention in Chicago. Tommy Harmon gets radio tips from Eddie Cantor. New combat boat in New Orleans. Mechanized maneuvers in Ontario.

UNIVERSAL NEWSREEL, No. 934.—British ships in the Mediterranean down Italian flier. Troops trained in Canada. Roosevelt sails. Wallace in Mexico. Healthiest children picked in Chicago. Hen trained to lay eggs when and where wanted. Buffalo dog conducts traffic. Cat show in Chicago. Dodgers-Giants football.

Directors Named by Buffalo Variety Club

BUFFALO, Dec. 5.—The local Variety Club has elected 11 directors. They include: Irving Fried, Phil Fox, George F. Hanney, Jr., Stanley Kozanowski, Sydney Lehman, Elmer F. Lux, Ralph W. Maw, Sydney Samson, Murray Whiteman, Melvin Schwartz and W. E. J. Martin, who is serving for his seventh consecutive term.

Edward Clarke Killed

Edward J. Clarke, 38, attorney associated with the O'Brien, Driscoll & Raftery law firm, was fatally injured Wednesday night when his car crashed into an I. R. T. pillar at Broadway and 219th St. He was a tax specialist.

MOTION PICTURE DAILY
(*Registered U. S. Patent Office*)
Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

PARAMOUNT'S "SECOND CHORUS" PARAMOUNT'S "SECOND CHORUS" PARAMOUNT'S "SECOND CHORUS"

'Little Three' Open Attack on U. S. Decree

Goddard Urges More Leeway For Companies

(*Continued from page* 1)

the major company defendants that the out-of-town suits would not be tried until the New York action had been decided. The five consenting companies now will be discharged as defendants in those suits but the three actions will be continued against Columbia, Universal and United Artists.

Lawyers Charge Compulsion

The Government's refusal to make the same concession with respect to the out of town suits now, drew the charge from Louis D. Frohlich of Schwartz & Frohlich, Columbia counsel, and Edward C. Raftery of O'Brien, Driscoll & Raftery, counsel for United Artists and Universal, that the Government was attempting to harass the smaller companies in a campaign to compel them to accept a consent decree under which, the attorneys stated, those companies could not survive.

The Government's attitude also caused Judge Goddard to comment that "It is unfortunate that the Government is inclined to be a little bit arbitrary. That may not be intended but it just happens to be so. What you are proposing is not fair to these defendants. There should be a little more *laissez faire* in these matters."

Wright responded that the Griffith case in Federal court at Oklahoma City would be reached for trial first, but would not state specifically that the case would be the first to be tried. Raftery argued that all of the basic issues in the out of town suits were at issue in the New York suit and that there was no need of trying all of them, or of trying any of them in advance of the suit here.

Litigation Cost Cited

"However," Raftery said, "if the Government wants to try the Oklahoma City suit, or any of the others first, let's stay this one and we'll try the others. But we should not be compelled to bear the cost of defending all of them, nor should we be made to defend more than one of them at a time."

Judge Goddard termed the defense view as "reasonable" and remarked that it was unfortunate that the Government was inclined to be "naive and indirect" in the matter.

"Tell them what trial is first," the court admonished Wright.

The Government attorney replied that he was unable to do this without consulting with others in the Department of Justice handling the out of town suits. He asked for 30 days in which to bring in his answer, but this was denied by the court and Wright was directed to answer next Friday and to attempt to agree in the meantime on procedure with defense counsel.

The Government's determination to make no concessions to the non-consenting companies was demonstrated at another point in the hearing at which defense counsel proposed to stipulate that interrogatories, bills of particulars and answers which have been submitted in the preparation of the Government's original suit here would be permitted to stand in the amended complaint action, which differs only slightly from the original.

Judge Urges Agreement

Wright declined the offer to make such a stipulation, which resulted in his being directed by the court again to attempt to come to some understanding with the defendants on the matter out of court.

"Work out some method," Judge Goddard directed Wright, "so these companies can do some business besides defending law suits."

Frohlich launched the attack on the legality of the decree in opposing the Government's right to file an amended complaint. He charged that the Federal court lacked jurisdiction to appoint arbitrators and that "the entire decree proceeding is void for that reason."

"If the amended complaint is permitted," Frohlich said, "I am going to the Circuit Court of Appeals and to the Supreme Court on the decree."

Judge Goddard remarked that Frohlich's objection would be "true" if he had signed the decree "without the consent of the parties to it," but not otherwise.

In opposing the Government's right to file its amended complaint, Frohlich frequently quoted Assistant Attorneys General Thurman Arnold and Paul Williams on the minor role played by the three non-consenting companies in the Government's original attack against the industry. He pointed out that the three non-consenting companies had a total of $45,000,000 in assets as compared with assets of $520,000,000 shared by the five consenting companies which, he said, did a gross annual business of $390,000,000, as compared with the $43,000,000 of the smaller three.

Frohlich Challenges Charges

"We cannot possibly dominate, control or restrain trade in this industry under those circumstances," Frohlich said. "We own no theatres. What charge is there for the Government to try us on? No monopoly is alleged in the new complaint. All we are charged with is unfair trade practices. That is a complaint within the jurisdiction of the Federal Trade Commission, not of this court."

"This new complaint," he charged, "is a sham and a fraud. It has but one purpose, and that is to bring us, by compulsion of the Government, under this consent decree. We cannot remain in business and consent to a decree of that kind. The decree itself is legally in error. It is the first decree I have ever seen that does not enjoin a monopoly in restraint of trade."

Raftery, also objecting to the Government's right to file an amended complaint, likewise quoted Arnold and Williams freely on the weakness of the Government's case against the "Little Three." Raferty quoted Williams as asking the "Little Three" at one time why they were not on our (the Government's) side in the suit to disintegrate the "Big Five" "whom they are now releasing, while holding us."

Arnold was quoted as saying the Government's principal complaint against the "Little Three" was that they had accorded preferences in selling to large circuits.

"Our answer to that," Raferty said, "was: 'Yes, we did. But we sold the market as we found it. We didn't create the market.'"

"The sole reason for this new complaint," Raftery charged, "is Paragraph Six (the escape clause) of the decree. The Big Five have ordained that the Government go out and bring us in under the decree."

Wright Compares Complaints

Wright admitted that the only difference in the amended complaint and the original is that the new one alleges that the Little Three employed discrimination in licensing unaffiliated circuits as well as affiliated circuits, and that the new suit asks for no new relief from the court except for the addition of arbitration.

In this connection, Raftery charged that the new complaint was evidence of "a new economic theory on the part of the Attorney General. It is that a man does not have the legal right to select his own customer and sell him in his own way. We will need enlightening on that theory, so, if we decide we need a bill of particulars we will confine it to that theory."

Appearances at the hearing were also made by Herman Finkelstein and Irving Morros of Columbia; Benjamin Pepper and Adolph Schimel, of United Artists and Universal; C. W. Bickford, Paramount, and O. C. Doering, Jr., of RKO counsel.

U. S. Seeks to Enjoin 'Little Three' From Acquiring Theatres: Raftery

The Government has been anxious to get Columbia, United Artists and Universal under a consent decree in order to enjoin them from acquiring theatres, should competitive developments ever tempt them to do so, Edward C. Raftery of O'Brien, Driscoll & Raftery, counsel for United Artists and Universal, told Federal Judge Henry W. Goddard yesterday.

Raftery said that Government attorneys had made that admission "all along." He made the statement by way of emphasizing that illegal practices charged against the "Little Three" do not constitute the reason for the continuation by the Government of the suit against them.

Counsel Says U. S. Admitted Case is Weak

Laval Takes Control of French Picture Industry

The entire French film industry has been placed under the immediate jurisdiction and control of Pierre Laval, Vice-Premiere of France, under the terms of a new decree, according to a dispatch to the New York *Times*, from Vichy, the seat of the French Government in unoccupied France.

The decree, issued Wednesday, gives a Government commissioner veto power in the consulting commission which directs the film industry. On his veto, any disputed point will be referred to the Minister of Information.

This decree divides the picture business in France into five branches: (1) the technical section of film producing machinery, laboratories, research and scientific services; (2) production, in all its phases; (3) the creative services, including acting, production, staging and writing; (4) distribution of films, and (5) theatres and display.

Laval exercises virtually supreme control over the industry through Jean-Louis Tixier-Vignancourt, who is director of a special cinema service under the Vice-Premier. Jacques de la Commune, assistant in the department, is assembling young actors, authors, technicians and other classes of film employes in an effort to create on the Riviera a cinema city for France.

Because of the drastic racial laws, most of the leading figures in the French film industry have left the country. A few independent production ventures have been undertaken.

Shift KMTA Meeting From Topeka to K. C.

KANSAS CITY, Dec. 5.—The annual convention of the Kansas-Missouri Theatres Association has been changed from Topeka, Kan., to Kansas City, on Dec. 17. The meeting, which will feature the annual election of officers, will be held at the association offices

Kitty Foyle Speaking---

"When I think I was 28 this year and what I've gone through in ten years, it's almost funny. But I'm here to say I've had joy and given it and I was in there fighting. I read about the guts of the pioneer woman. What about the woman of the covered typewriter? I see them on subways and buses, putting up a good fight in their pretty clothes, and keeping their heebyjeebies to themselves. There's something so courageous about it."

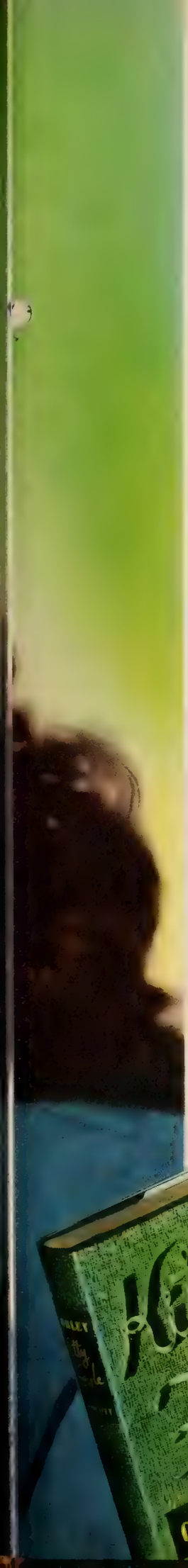
:::: It's America's White-Collar Girl, fighting for love and a living in a man's world---and it's TREMENDOUS drama!




How about seeing me after work?
Kenneth
X X

GINGER ROGERS as the heroine of the year's biggest best seller, "KITTY FOYLE," the most daring novel ever written by a man about a woman :: Christopher Morley's Natural History of a Woman :: The story of a Career Girl facing the crisis of her life, revealed in her innermost thoughts :: It's the heart-cry of millions of love-and-a-home-hungry girls, adrift and alone in the fight-or-die jungle of business life.

RKO-Radio's Sensational New Year's Attraction!





GINGER ROGERS

In the First Great Romance of the White Collar Girl

"KITTY FOYLE"

Christopher Morley's Natural History of a Woman

With

DENNIS MORGAN • JAMES CRAIG

Eduardo Ciannelli • Ernest Cossart • Gladys Cooper

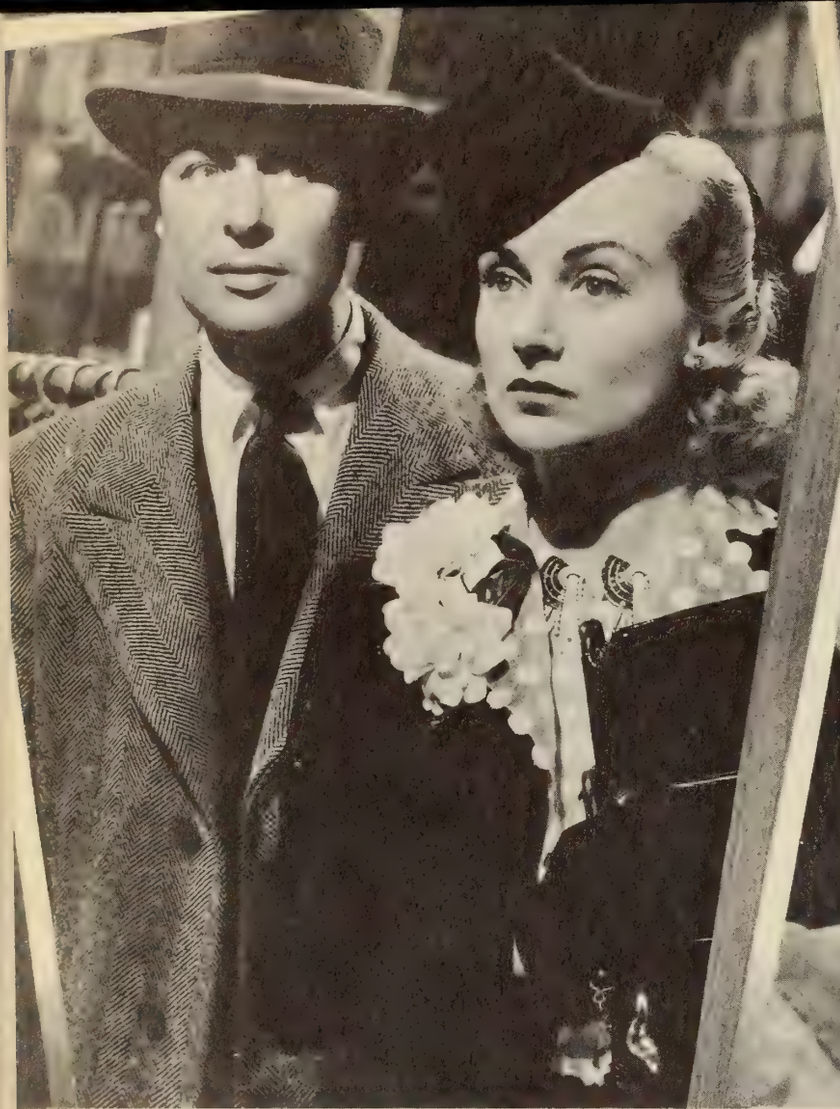
Directed by SAM WOOD

Who Made "Goodbye, Mr. Chips"

RKO RADIO PICTURE

Produced by David Hempstead • Harry E. Edington, Executive Producer
Screen Play by Dalton Trumbo. Additional Dialogue by Donald Ogden Stewart

RKO RADIO PICTURES







ALFRED HITCHCOCK DIRECTS LAST SCENES OF CAROLE LOMBARD AND ROBERT MONTGOMERY IN "MR. AND MRS. SMITH"

The director of "Rebecca" and "Foreign Correspondent" has turned his hand to comedy with an hilarious flair. Rapidly nearing completion is this riotous story of a bride who couldn't stay mad. It is planned for early release, as is also another forthcoming big one from RKO Radio, Orson Welles, in "Citizen Kane."

LITHO U.S.A.

Short Subject Reviews

"American Spoken Here"
(M-G-M)

John Nesbitt traces the origin of various slang expressions in this entertaining "Passing Parade" subject. "I don't give a dam," "kick the bucket," "mind your P's and Q's" and other similar phrases are included. The short ends with a brief dramatization of the story behind the word, "fink," in which a Westerner, Mike Fink, killed his best friend. Running time, 10 mins.

"Information, Please"
(RKO)

From Tibetan lamas to the duck-billed platypus, the "Information, Please" experts go through their paces with good humor and an extended knowledge of little things. Louis Bromfield, the novelist, is the guest, and a learned one. There are lots of quips in this one. Running time, 11 mins.

"Goofy's Glider"
(Disney-RKO)

Learning to glide proves something of a problem to Goofy in this color cartoon. He tries various means of getting into the air, including a pull with a rope, a bicycle tow, a catapult and a rocket, and finds each new method more difficult. Lots of fun. Running time, 8 mins.

"Fire Chief"
(Disney-RKO)

Donald Duck undertakes the role of fire chief with his three nephews as his firehouse crew. Donald dashes off in search of a fire but finds that it's the firehouse itself which is burning. By accident, Donald attaches the fire hose to a gasoline pump instead of a fire hydrant and nature takes care of the rest. In color. Running time, 8 mins.

"Rodeo Dough"
(M-G-M)

Sally Payne and Mary Treen set out for their home town of Kokomo, but instead land in a rodeo, compete for the prize money and after riding a bull, collect. Johnny Weissmuller is seen donating the award and a few Hollywood personalities are on hand as spectators. The girls and the shorts are adequately amusing. Running time, 10 mins.

"Snow Fun"
(RKO Pathe)

Winter snow sports at colorful Lake Placid in New York State are interestingly described in "Snow Fun." Skiing, tobogganing, bob-sledding, dexterous ice skating, sulky racing on the ice, and skiing under tow of a horse or automobile are exciting camera subjects. Running time, 9 mins.

"Picture People, No. 4"
(RKO Pathe)

In intimate glimpses into Hollywood homes, "Picture People" presents views of the stars at play. Carole Lombard changes jobs with Alfred Hitchcock and directs the latter in a scene with Robert Montgomery. Also seen are Gene Autry, Edgar Bergen and Charlie McCarthy, Richard Arlen, Roscoe Ates and Lola Lane. Running time, 10 mins.

"Growing Up"
(RKO Pathe)

The universal appeal of the Dionne Quintuplets is exploited to the full in "Growing Up" which traces their history from five days after their birth to their present mature age of "going on seven." The early Christmas scenes, their visit to Queen Elizabeth, play scenes in the snow and their first talk over a real telephone are charmingly portrayed. The final scenes show the girls with their first teeth beginning to fall out. Dr. Allen Roy Dafoe acts as narrator. This should be popular. Running time, 18 mins.

"Wedding Bills"
(M-G-M)

Pete Smith humorously depicts the unromantic aspect of engagement and marriage, the financial side. Billy Newill and Sally Payne are the young engaged couple preparing for the wedding, Sally unmindful of, and Billy very much aware of the costs. Because of expenditures, a proposed California honeymoon is deferred, but they are happy about the whole thing, anyway. Running time, 10 mins.

"Kiddie Kure"
(M-G-M)

Thurston Hall becomes cured of hypochondria after a hectic session with Our Gang. He invites the group to his house, endeavoring to frame them and thus discourage his wife from adopting a child. Thinking their host on the daft side, the "Gang" takes it on the lam with Hall and his butler in pursuit. After a merry chase, Hall discovers himself in perfect health and all ends well. This is more amusing than the usual "Gang" short. Running time, 11 mins.

"Dreams"
(M-G-M)

This is a splendid "Passing Parade" short by John Nesbitt in which the phenomena of the mind is explored. Dreams are pictured as having a significant bearing on the individual, as in the case of the sufferer from an inferiority complex who in his subconscious sees himself laughed at. The short also recounts the case of President Lincoln, who foresaw in a dream that death was near and acted accordingly. The subject is intriguing. Running time, 10 mins.

'Dictator' at 70% and Guaranty Overseas

Cash guaranties in addition to terms of 70 per cent of the gross have been given United Artists in two additional foreign deals for "The Great Dictator" closed recently, Walter Gould, foreign department head, disclosed yesterday.

The company closed with Bernardo Glucksmann, Uruguayan exhibitor, on those terms for a premiere of the picture at the 2,000-seat Trocadero, in Montevideo, and for two popular price subsequent runs there. A similar deal was closed with John Duell for a three-theatre opening in Batavia, Java, at the Deca, Astoria and Cinema.

Three additional deals on similar terms were closed for the picture by the foreign department earlier.



$7.25
POSTPAID

MOST ADVANCED TEXTBOOK ON MODERN SOUND REPRODUCTION AND PROJECTION

SECOND REVISION
SIXTH EDITION — SUPPLEMENTED WITH
SOUND TROUBLE CHARTS and ALPHABETICAL INDEX

■ You will find this newly revised edition of F. H. Richardson's Bluebook of Projection the most practical treatise of its kind and a sure solution to all the perplexing problems of projection room routine.

Over 700 pages of up-to-the-minute text, diagrams and charts, this book is not only the greatest authority on sound reproduction and projection, but it is also a quick, certain trouble-shooter—a practical guide to swift repairs in any projection room emergency.

ORDER THIS BOOK TODAY

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER, NEW YORK

'Escape' Gets Boston Lead With $29,000

BOSTON, Dec. 5. — "Escape" and "Hullabaloo" scored $13,000 at Loew's State and $16,000 at Loew's Orpheum in a second week, for a total of $29,000 in a week of generally slow business. "No Time for Comedy" and "The Westerner" took $4,100 at the Scollay.

Estimated taking for the week ending Nov. 27:

"I'm Still Alive" (RKO)
"The Old Swimmin' Hole" (Mono.)
"Glamour for Sale" (Col.)
"Sandy Gets Her Man" (Univ.)
KEITH BOSTON—(3,200) (25c-35c-40c-55c) "Still Alive" and "Swimmin' Hole" 4 days with vaudeville, including Milt Herth Trio, Sibyl Bowan, Paul Nolan, Toy and Wing and Balabanow Five; "Glamour for Sale" and "Sandy" 3 days. Gross: $4,500. (Average $8,000)
"Mark of Zorro" (20th-Fox)
"Laddie" (RKO)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $13,000. (Average $16,000)
"The Letter" (W.B.)
"Tugboat Annie Sails Again" (W.B.)
METROPOLITAN — (4,367) (25c-35c-40c-55c) 7 days. Gross: $15,000. (Average $15,500)
"Arise My Love" (Para.)
"Dancing on a Dime" (Para.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $7,000. (Average $7,500)
"Arise My Love" (Para.)
"Dancing on a Dime" (Para.)
FENWAY—(1,320) (25c-35c-40c-55c) 7 days. Gross: $4,500. (Average $4,500)
"No Time for Comedy" (W.B.)
"The Westerner" (U.A.)
SCOLLAY—(2,500) (25c-44c-55c) 7 days. Gross: $4,100. (Average $4,000)
"Escape" (M-G-M)
"Hullabaloo" (M-G-M)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $13,000. (Average $12,000)
"Escape" (M-G-M)
"Hullabaloo" (M-G-M)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $16,000. (Average $17,500)

American Pictures Dominate Azores

WASHINGTON, Dec. 5.—American companies accounted for 90 per cent of the 900 reels of film distributed in the Azores during the past year. Five per cent were French and five per cent Portuguese, according to an annual report of the U. S. Department of Commerce.

Theatres now are required by law to include in each program at least one film of Portuguese origin. A Portugueses film is said to bring in about $100 in American currency, while imported product yields about $50. The legislation in effect in Continental Portugal applies to all the Azores. Censoring of films for the Azores is done in Lisbon. The average theatre admission price is about 14 cents.

Monogram Reports Setting Circuit Deals

HOLLYWOOD, Dec. 5.—Monogram today reported the closing of several circuit deals. They include: Sparks Theatres, Florida; Skouras, New York; North Carolina Theatres, Charlotte; Publix-Great States; Indiana-Illinois Theatres; Pioneer Theatres, Des Moines; Lust Circuit, Washington; Jay Emanuel Theatres, Philadelphia; Black Hills Amusement Co., Denver; Warners, Los Angeles; Cooperative Circuit, Cleveland.

Critics' Quotes . . .

"ARIZONA" (Columbia)

A satisfying Western—a colorful segment of Americana that is notable less for its narrative than for the manner in which it has been presented.—*Newsweek.*

One of the biggest and most satisfactory Westerns in a long, long time . . . the scale of production is lavish, sometimes too much so, for the sheer size sometimes tends to slow down narrative action.—*Garrett D. Byrnes, Providence Journal.*

"HIT PARADE OF 1941" (Republic)

Republic has poured a lot of good-natured foolishness into the "Hit Parade of 1941." . . . Musically, the film fares well.—*New York Times.*

Cleverly enough written to maintain a correct balance of music, comedy and romance. . . . It is snappy entertainment of its kind.—*Howard Barnes, New York Herald Tribune.*

A lavish and entertaining musical with tunes that live up to the picture's title.—*Lee Mortimer, New York Daily Mirror.*

A loosely-strung series of variety acts and ancient gags. . . . Patsy Kelly gives the story a lift now and then, but even her bright brand of comedy is smothered under the picture's gags.—*Kate Cameron, New York Daily News.*

"ESCAPE TO GLORY" (Columbia)

Better than most of the action melodramas produced as a result of the war. Its people are interesting, if familiar, and the chief business in hand, the chronicling of the sea combat, holds the plot together and provides considerable excitement.—*Donald Kirkley, Baltimore Morning Sun.*

Fair-to-middling, we should say of "Escape to Glory," if we were recommeding it to those who are not of a discriminating turn.—*Gilbert Kanour, Baltimore Evening Sun.*

"ONE NIGHT IN THE TROPICS" (Universal)

Needs Bud Abbott and Lou Costello. Though it's their first appearance on the screen, they do magnificently.—*Laura Lee, Philadelphia Bulletin.*

We think you'll enjoy "One Night in the Tropics," thanks mainly to Bud Abbott and Lou Costello. . . . Jerome Kern tunes, Allan Jones' fine singing voice and comedy by Abbott and Costello make pleasant screen entertainment.—*Elsie Finn, Philadelphia Record.*

This helter-skelter comedy runs circles around itself without getting anywhere that matters, devotes endless footage to the less than sparking humor of Lou Costello and Bud Abbott.—*Mildred Martin, Philadelphia Inquirer.*

"THE LETTER" (Warners)

A notable screen melodrama has been achieved. Until the last anti-climactic five minutes, it ranks among the major thrillers of the season.—*Henry T. Murdock, Philadelphia Ledger.*

Direction and mood delineation are superbly created through William Wyler's skilled control of the actors and the pace. . . . Insertion of effective background and small, significant touches helped the tremendous suspense.—*Philadelphia Daily News.*

Miss Davis surpasses even her own past performances. . . . As savage, morbidly fascinating a picture as has appeared in many seasons, "The Letter" is an extraordinary example of mood made visible, or tortured minds, tangled emotions, degradation and crushed hopes.—*Mildred Martin, Philadelphia Inquirer.*

"ESCAPE" (M-G-M)

The photoplay is able to stand triumphantly on its own, so to speak, as a specimen of superior drama . . . has all the tension, perhaps more, of the best of its predecessors.—*Gilbert Kanour, Baltimore Evening Sun.*

The acting is excellent throughout . . . Mervin LeRoy's direction makes the most of his material, being marked by restraint and a fine feeling for cumulative effect.—*Donald Kirkley, Baltimore Morning Sun.*

The tensest of the lot up to now . . . it is so well projected in its acting and direction that it achieves the status of first-class entertainment.—*Norman Clark, Baltimore News Post.*

An interesting and workmanlike film, concerned with half a dozen interesting people.—*Doris Arden, Chicago Daily Times.*

"MELODY RANCH" (Republic)

In allowing its prize package (Gene Autry) this lapse in physical supremacy, Republic may be taking a grave risk. Previous box-office receipts indicate the country likes him rugged. Possibly as a sop, Republic gives the customers some extra flavors.—*Time.*

Has plenty of songs, a measure of love interest provided by pretty, tap-dancing Ann Miller, and sufficient genial nonsense to make it thoroughly agreeable, albeit synthetic Western entertainment.—*Providence Journal.*

Joins National Screen

OMAHA, Dec. 5.—Max Rosenblatt has been named salesman for National Screen and Advertising Accessories in the Nebraska territory by Isadore Sokolof, Omaha manager. Rosenblatt was formerly with Capitol Pictures here and replaces Mike Roth.

Clark in Lamson Post

Arthur Clark, manager of the Peter Clark division of the Lamson Co., has also been appointed district manager for the Lamson Co. in the metropolitan area. Clark has fully recovered from injuries sustained in a recent automobile accident.

'Pilot,' Show Philadelphia Best, $19,000

PHILADELPHIA, Dec. 5.—"Charter Pilot," plus a stage show featuring Laurel and Hardy on the stage of the Earle, scored $19,000, in a week in which weekend football and the Thanksgiving holidays hurt grosses generally.

Estimated takings for the week ending Nov. 27-29:

"The Great Dictator" (U. A.)
ALDINE—(1,400) (75c-$1.14) 7 days, 5th week. Gross: $7,200. (Average, $9,000)
"Rhythm on the River" (Para.)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $3,000. (Average, $2,600)
"Bitter Sweet" (M-G-M)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days 2nd week. Gross: $11,600. (Average, $13,000)
"Charter Pilot" (20th-Fox)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including Stan Laurel & Oliver Hardy, Lew Parker, Cass-Owen & Topsy, Maxine Conrad, Darlene Garner, Sid Gold, Danny Dare's dancers. The Fredericos and James Cimorton. Gross: $19,000. (Average, $14,000)
"Scatterbrain" (Rep.)
FAY'S — (2,190) (15c-29c-35c-46c-57c) 7 days, subsequent run with vaudeville including Jean Mode, 16 Roxyettes, Wally Brown & Annette Ames, Three Dennis Sisters, Johnny Burke, Barry & Raye, and Pearl Robbins. Gross: $8,500. (Average, $6,900)
"The Mark of Zorro" (20th-Fox)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $13,000. (Average, $13,000)
"Escape" (M-G-M)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $6,800. (Average, $3,000.)
"Arise, My Love" (Para.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 6 days, 2nd run, 2nd week. Gross: $2,900. (Average, $4,500)
"Little Nellie Kelly" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $15,000. (Average, $14,000)
"The Ramparts We Watch" (RKO)
STANTON—(1,700) (35c-46c-57c) 4 days, 2nd week. Gross: $3,600. (Average, $4,500)

Sol Siegel to Make 8 to 12 Para. Films

HOLLYWOOD, Dec. 5.—Sol C. Siegel, new Paramount producer, will be in charge of from eight to 12 features for the company during the 1941-'42 season. Among them will be Owen Wister's "The Virginian," to be produced in color, probably with Joel McCrea in the starring role.

Among the other Siegel films will be "The Paramount Parade," a Henry Aldrich comedy, and "Two Bad Angels," concerning British refugee children. Eugene Zukor, Joseph Sistrom and Jules Schermer will assist Siegel.

Plans to Produce Seven in Spanish

United Spanish Artists Films, Inc., newly formed company here headed by John Malandre, plans to produce seven features in Spanish, to be made in the East and designed for the Latin American market.

The company will specialize in operettas and biographical subjects. Shooting on the first production, tentatively titled "The Hawks," will start at the end of January. Eduardo Diaz Ochoa, vice-president of the company, will direct. The company will handle its own distribution.

BOOKING CALENDAR *for* 1941

EVERY SHOWMAN NEEDS ONE!

Each year, thousands of managers find the Quigley Booking Calendar a prime necessity in the successful operation of their theatres.

Its record of national and state holidays is a guide to the timely booking of appropriate pictures, tieing in with important historical events, permitting special exploitation campaigns of great benefit to your box office.

These Booking Calendars are supplied to managers at cost and for that reason do not allow the carrying of large stocks. Unless your order comes in early we may not be able to fill it. Be sure to get your 1941 Calendar by ordering it today!

LIMITED SUPPLY
ORDER PROMPTLY

USE THIS COUPON

Managers' Round Table,
Rockefeller Center,

MOTION PICTURE HERALD
New York

Kindly send me one Booking Calendar for 1941. I enclose 25c to cover handling and postage.

NAME_____ THEATRE_____

ADDRESS_____ CITY_____ STATE_____

British Exhibitors Plan Fight on KRS

LONDON, Dec. 5.—It became certain today that next week's meeting of the general council of the Cinematograph Exhibitors Association at Llandudno, Wales, will see a vigorous debate over the policy of the Kinematograph Renters Society (distributors) with respect to theatres closed because of the war.

Weight has been added to the attack initiated by the London and Home Counties Branch of the C.E.A. by the refusal of Arthur W. Jarratt, operating head of the Gaumont British Circuit, to sign the K.R.S. form relating to designation of product for theatres.

London exhibitors are understood to be determined to press for a full discussion of the situation at the council meeting and to insist that the council demand that the K.R.S. adjust the situation.

The London Branch, at its meeting today, discussed at length the advisability of shorter programs during the war period, but it was agreed that a decision depends on the attitude of the circuits and no definite action was determined upon.

The C.E.A. and the K.R.S. will appoint representatives to serve on a joint trade committee to study feasibility of the plan for supplying films for the army, following the request of the War Office that the matter be considered.

11-Year Mexican Patent Suit Ends

MEXICO CITY, Dec. 5.—Paramount Films of Mexico has full right to use whatever sound apparatus it desires and is not obligated to patronize Phonofilm exclusively, the National Supreme Court has ruled, in rejecting Phonofilm's suit for an injunction to restrain Paramount from employing other apparatus.

The ruling ended a court case that began in 1929 and was the longest and most tangled of its kind in this country. When Paramount in 1929 imported American sound apparatus for the introduction in Mexico of talking films at the local Cine Olimpia, then the Paramount show window here, Phonofilm complained to the Mexican patents department that the apparatus infringed the patent and rights the department had given Lee De Forest in 1926, which rights he turned over to Phonofilm.

The department ruled that Paramount was not obligated to use exclusively Phonofilm machines. The sound company took the case to court. After 11 years, it ended with the high tribunal's ruling.

Broidy Confers at Local Mono. Branch

Samuel "Steve" Broidy of Boston, newly appointed general sales manager for Monogram, is conferring with the sales staff at the New York branch. He will leave Tuesday on a tour of exchanges, his first stops being Washington on Wednesday and Philadelphia on Thursday. He expects to arrive at his Coast headquarters about the middle of February.

Off the Antenna

MAJOR networks are making strenuous efforts to get commercial sponsors to shift to non-Ascap music before the Dec. 31 deadline but reports yesterday indicated that there was no great haste in that direcion. Sponsors were asked particularly to change their theme songs in advance to accustom the public to the switch, but even there no real progress has been shown.

Meanwhile, the tempo of the publicity campaigns of both Ascap and BMI has been stepped up, and releases are flowing out much more frequently. Ascap's stationery is decorated with the titles of about 20 old favorites which will not be licensed over the air. Yesterday, BMI responded by listing 45 songs which will be available, from "A Bicycle Built For Two" down to "Yankee Doodle."

• • •

Purely Personal: *Marlene Deitrich will join John Barrymore as guest on the Rudy Vallee Sealtest show over NBC-Red Thursday at 10 P.M. . . . Grenfell Rand has been appointed educational director of WABY, Albany. . . . Benny Goodman, who will make a guest appearance with the New York Philharmonic-Symphony Orchestra Thursday and Friday will be guest on "We, the People" with Deems Taylor over CBS Wednesday at 9 P. M. . . . Joan Bennett, Brian Donlevy and George Tobias will join James Cagney in a dramatization of "Torrid Zone" on the "Screen Guild Theatre" Sunday at 7:30 P.M. over CBS. . . . Dinah Shore has been voted "Ideal Career Girl" by the junior class at N.Y.U.*

• • •

The music situation was the main topic at an all-day session of the National Association of Broadcasters' board of directors at the Hotel Roosevelt yesterday. Selection of a 1941 convention city and general arrangements for the meeting were considered. No decision was arrived at on any of the questions but it is expected that there will be something definite before the two-day session ends today. Twenty-six board members are attending.

• • •

Program News: *WOR'S series of broadcasts on life at Fort Dix will start Sunday Dec. 15 at 2 P.M. Tom Slater will produce the shows and be master of ceremonies. . . . "Brush Creek Follies" returns to CBS tomorrow at 2:30 P.M. . . . Victor Moore, Martha Raye, Jack White, Jan Peerce, Dave Appollon, Irving Berlin and Louis Nizer are scheduled to be heard over WMCA at 11:15 P.M. Sunday in connection with a testimonal dinner to Belle Baker at the Waldorf-Astoria Hotel. . . . George Bryan, CBS newscaster, will handle the Alka Seltzer news show over WABC at 3:55 P.M. daily beginning Monday.*

• • •

Proceeds from the third annual charity show conducted by Uncle Don at the Hotel Astor at 2:30 and 8:30 P.M. Sunday, Dec. 15, will be divided between metropolitan charities and British refugee children in this country.

Asks Approval of New Texas Station

WASHINGTON, Dec. 5.—The Federal Communications Commission has been asked to issue a construction permit to the Orange Broadcasting Corp., for a new 1,550-kilocycle, 1,000-watt station at Orange, Tex., and to authorize Station WMAZ, Macon, Ga., to change frequency from 1,180 to 940 kilocycles, extend time from limited to unlimited and increase night power from 1,000 to 5,000 watts.

The commission announced that it tentatively had set Jan. 13 as the date for hearings on the contesting applications of the Paducah Broadcasting Co., Inc., and William D. Hudson and Violet H. Hudson for construction permits for a new 1,370-kilocycle, 250-watt station at Clarsville, Tenn.

Priscilla Lane Leaves

Priscilla Lane will leave for the Coast today after a month's visit here. She will arrive in Hollywood in time to board the special train which will carry a contingent of film stars to Sante Fe., N. M., for the world premiere of Warners "Sante Fe Trail" on Dec. 13.

Show 'Flight' to Navy

WASHINGTON, Dec. 5.—Commander Harvey Haislip, author of the story from which the M-G-M film, "Flight Command," was produced, arrived here today from the Coast with a print of the picture. It was screened before a group of Navy officials.

Kansas Exhibitors In Regional Meets

KANSAS CITY, Dec. 5.—The Kansas Independent Theatres, headed by Homer F. Strowig of Abilene, are holding three district meetings this week: yesterday at Pratt; today at Independence, and tomorrow at Topeka.

The group plans a statewide meeting in February to elect new officers and directors, but the district gatherings primarily are to expand membership before the state legislature meets early next year.

Arthur Israel, Jr., Elected Lodge Head

(Continued from page 1)

Columbia; Jack Sichelman, 20th Century-Fox; Moe Streimer, United Artists; Irving Greenfield, RKO; A. R. Steinberg, Loew's; Adolph Schimel, Universal; treasurer, Max B. Blackman, Warners; recording secretary, Julius Collins, Ascap; corresponding secretary, J. Hyman; monitor, Irving Cohen, Paramount. Schimel was chairman of the nominating committee.

Cohen Takes Bronx House

Webster Amusement Corp. (Max A. Cohen) is the new operator of the Metro, 990-seat theatre in the Bronx.

War Has No Effect On Swedish Trade

WASHINGTON, Dec. 5.—The war as yet has had no appreciable effect on the film industry in Sweden, according to reports to the U. S. Department of Commerce from the office of the American commercial attache at Stockholm.

Although one or two smaller producing companies have been eliminated since 1939, the larger companies are operating at levels equal to or exceeding last year. Although, since the German occupation of Norway and Denmark, shipping lanes have been restricted for imports into Sweden, and foreign exchange regulations have been tightened, importation of films is still possible.

During 1940, no theatres have been bombed or damaged, none has been closed and no new houses have been opened. There are 2,134 houses in Sweden, all wired. The Government contemplates no quota legislation on films from the United States. During the first six months of 1940, a total of 3,831 pictures, including prints, was censored. Of this total 1,028 were American, 2,278 were Swedish and the rest were from various other countries. In general the censor rejects pictures because of political implication. Eleven were banned during the first half of the current year, seven of them American. For the most part positive prints are shipped to Sweden from the U. S.

B'way Holdovers Beat the Weather

(Continued from page 1)

and will continue its two-a-day, $2.20 top, run at that house indefinitely. The seventh week at the Astor was good for an estimated $9,000.

Another two-a-day, $2.20 run, that of "Fantasia" at the Broadway, where it started its fourth week yesterday, is still almost at capacity. The third week gross was an estimated $27,000.

"Thief of Bagdad" started well yesterday, despite the snow storm, and the Music Hall reported a heavy advance sale. The second week of "Bitter Sweet" with a stage show drew an estimated $68,000 to the Music Hall.

"Gallant Sons" will open at the Criterion next Wednesday, following "Hit Parade of 1941," which is current there. "Little Nelly Kelly" will be the Christmas offering at the house.

Kent Gives $1,000 For Greek Relief

(Continued from page 1)

Darryl F. Zanuck, Lowell Thomas, Robert Sherwood, David O. Selznick, Gradwell L. Sears, J. Meyer Schine, Nicholas M. Schenck, George J. Schaefer, Elmer Rice, Phil Reisman, Mike Naify, Louis B. Mayer, Charles E. McCarthy, M. A. Lightman, Arthur W. Kelly, David Idzal, Helen Hayes, John W. Hicks, Jr., John Hamrick, E. C. Grainger, Samuel Goldwyn, Harry L. Gold, William Goetz, H. J. Fitzgerald, Albert J. Finke, Si H. Fabian, Sam Dembow, Jr., Phil Chakeres, Rachel Crothers, Clare Booth, John Balaban, Elmer C. Rhoden, Clarence M. Turley and Dimitri Mitropoulos.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First In Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 112 NEW YORK, U.S.A., MONDAY, DECEMBER 9, 1940 TEN CENTS

Bombs Close 320 British Film Houses

Trade Sees Settlement Of Bookings Dispute

LONDON, Dec. 8.—A total of 320 motion picture theatres in Great Britain have been closed by the Nazi bombing raids. This figure is as of Dec. 1. It includes houses destroyed as well as those which have been forced to close as the result of extensive damage but which are not completely wrecked.

Meanwhile, trade circles here over the weekend saw a settlement possibility of the controversy between exhibitors and distributors over the latter's policy on bookings for closed houses.

Sam Smith, executive of the Kinematograph Renters Society (distributors), speaking as an individual and not for the society's council, declared that the society is ready to discuss the

(*Continued on page 6*)

Ticket Tax Called 'High Sales Levy'

WASHINGTON, Dec. 8.—The Federal admission tax is a "very high sales tax, and one which bears heavily on the amusement costs of the people," the Temporary National Economic Committee is told in a report on taxation, recovery and defense prepared by Dr. H. Dewey Anderson, its executive secretary.

Even in 1938, when the exemption was 40 cents, it is pointed out, admissions to amusements accounted for 41.8 per cent of the total revenue derived from the socalled luxury taxes. Since July 1, 1940, the exemption has been 20 cents.

Dr. Anderson viewed the admission levy as one of a number of "regressive" taxes which fall more heavily upon small incomes than upon large ones.

Para. Branch Heads In Midwest Shifted

DES MOINES, Dec. 8.—A shift in Paramount branch managers has Raymond H. Copeland, head of the local exchange for the past 13 years, taking charge of the Kansas City branch for the company, with Joseph T. Manfre, Kansas City manager for the past eight years, succeeding Copeland here.

Irish Seek Direct Dealings with U. S.

London, Dec. 8—Exhibitors in Ireland have formed an organization with the primary aim of obtaining direct dealings with United States film companies, it is reported from Dublin. The Irish exhibitors now transact their film deals through the distributors in England. The new group will be known as the Irish Cinema Association and, it is reported, would replace two existing organizations which represent Dublin and provincial houses.

Theatrical Unions In Buying Group

Nine theatrical unions agreed Friday to form a cooperative buying group to be known as Associated Consumers or "A.C." Frank Gillmore, president of Associated Actors and Artistes of America, was elected president, Paul N. Turner, executive secretary, and Leslie A. Hart, business manager and technical director.

The organization will start to function early in 1941 and will confine itself for the first few months to advising members on where to get the most value in their purchases. Later, it is planned to effect cooperative buying agreements with manufacturers,

(*Continued on page 6*)

20TH-FOX AIMS TO AVOID DISPUTES

Lack of Legality Fades Exhibitor Attack on Decree

The possibility of exhibitor litigation to prevent the consent decree from being made effective has all but disappeared, according to official observers, due to the inability of exhibitors to establish the legal standing necessary to bring such actions.

There is no likelihood of test actions being filed by either of the national exhibitor organizations, M. P. T. O. A. or Allied States, it is learned, and this policy is expected to govern the attitude of the affiliated units of both organizations. Moreover, no litigation is in preparation by such regional units as the I.T.O.A. of New York or New York Allied.

Exhibitor litigation against the decree will not appear, in the opinion of industry attorneys, until after arbitration decisions have been given which deprive an exhibitor of clearance, run or product against his will. This development conceivably would give such an exhibitor the legal standing necessary to bring suit to test the legality of the decree, attorneys interested in the case said.

Will Shun Deals Which May Lead to Need For Arbitration

Twentieth Century-Fox will avoid all deals which may lead to a dispute and consequent arbitration under the terms of the New York case consent decree. Instructions to avoid such deals scrupulously have been transmitted to the company's sales staff by Sidney R. Kent, president.

Additionally, Kent has directed Felix A. Jenkins, general counsel of the company, to send a second letter of instruction emphasizing the policy set down by Kent, it was revealed over the weekend.

Jenkins and two members of his staff will visit all company exchanges during January and early in February to instruct the sales forces in the decree provisions. A manual of instructions prepared by Jenkins will be sent sales staffs in advance of the meetings, which they are to keep as an aid in complying with the decree.

With a preliminary meeting at the New York exchange set for next Friday, Jenkins will personally confer at 12 branches, starting Jan. 2 at Los Angeles. Percy Heiliger and Norman Steinberg of his staff will cover the rest of the country. Herman Wobber, general manager of distribution, plans to attend the meetings at the West Coast exchanges with the general counsel.

Jenkins' letter to the managers

(*Continued on page 6*)

Expect 1,000 at Dinner of Philadelphia Variety Club

PHILADELPHIA, Dec. 8.—Close to 1,000 industry members are expected at the sixth annual banquet of the Philadelphia Variety Club on Thursday night at the Bellevue-Stratford Hotel. Holding the affair for the first time on a weekday night instead of Sunday, an unusually large number of New York personalities and other out-of-towners are expected. Postmaster General Frank C. Walker will be the guest of honor.



Frank C. Walker

For the first time, there will be a double dais to accommodate all the guests. Ben Bernie will act as toastmaster. The list of speakers, in addition to Postmaster General Walker includes Senator James J. Davis; Gov. Arthur H. James, of Pennsylvania; Harold G. Hoffman, former Governor of New Jersey; Spyros Skouras, National Theatres president; Major General Clifford H. Powell, Fort Dix, N. J., and Dr. Alexander J. Stoddard, superintendent of the Philadelphia public schools.

Others to be seated on the dais include Rev. Sylvester M. McCarthy, Chester Heights, Pa.; Rabbi Simon Greenburg; Rev. Herbert W. Jones; William F. Rodgers, M-G-M; John Harris, National Variety Club president; Barney Balaban, Paramount; Arthur Kelly, United Artists; Ned E. Depinet, RKO; A. W. Smith, Jr.,

(*Continued on page 6*)

Doyle Far Eastern 20th-Fox Manager

Arthur Doyle, 20th Century-Fox manager in Japan, has been named Far Eastern manager, with supervision over the company's interests in China and the Philippine Islands as well as Japan. His headquarters will continue to be in Tokio. Dell Goodman formerly was Far Eastern manager.

Reviewed Today

"Comrade X" is reviewed from Hollywood on Page 3. Reviews of "Let's Make Music" and "The Lilac Domino" will be found on Page 11.

Enemy Royalties Held by Canada

Toronto, Dec. 8.—To put at rest the rumors with respect to the payment of royalties from Canada to citizens of enemy countries, H. T. Jamieson, president of the Canadian Performing Rights Society, Toronto, has announced that the share of fees for performances in the Dominion to residents of enemy countries is being paid at intervals to the Custodian of Enemy Property of the Dominion Government for disposal in accordance with Government policy.

Kelly Leaves for Tour of Branches

Arthur W. Kelly, United Artists vice-president and distribution head, left over the weekend on his first tour of company exchanges since assuming his present post. Kelly will visit Pittsburgh, Cincinnati, Cleveland, Detroit, Chicago, Indianapolis and Buffalo. He is expected back in New York in a week or 10 days.

James Dinner Guest

COLUMBUS, O., Dec. 8.—William James, one of the first exhibitors here, but who now is engaged in another business, was guest of honor at a dinner given by his friends at the Variety Club. Max Stearn, who operates the Southern, was toastmaster.

Personal Mention

PHIL REISMAN, RKO vice-president and foreign manager, arrived from the Coast last Friday.

•

LEONARD GOLDENSON, Paramount home office theatre executive, returned yesterday from a week's trip in the South.

•

NAT HOLT, RKO Theatres division manager in Cleveland, is due here tomorrow for home office conferences. He will be here about three days.

•

MONROE GREENTHAL, new advertising and publicity director for United Artists, returned Friday from the Coast.

•

I. M. RAPPAPORT, owner of the Hippodrome, Baltimore, will visit here early this week.

•

DAN NOLAN, RKO home office auditor, is this week at the Des Moines exchange.

•

A. W. ANDERSON was presented a gold and diamond pilot's pin by his staff at the Warner office in Des Moines when he left to take over as Minneapolis manager.

•

GEORGE LOFING, Des Moines Universal booker, has been called into the Naval service, in which he is a reserve officer.

•

PETE HARRISON has left for a Florida vacation.

FRANCIS L. HARLEY, British managing director for 20th Century-Fox, is expected here about Dec. 20 by clipper for a holiday visit.

•

HARRY BROWNING, executive of the M. & P. Circuit, has been elected adjutant of the Lt. A. Vernon Macaulay Post of the American Legion in Boston, known as the theatrical post.

•

WILLIAM J. KUPPER, 20th Century-Fox western division manager, is expected back in about a week from a tour of his territory.

•

ARCH REEVE, who resigned recently as advertising manager for 20th Century-Fox, is en route to the Coast by automobile.

•

SAMUEL HADELMAN of Capitol and Colonial, Bridgeport, Conn., and MRS. HADELMAN were honored with a surprise party at Baybrook by more than 80 friends, on their fifth wedding anniversary.

•

CHARLES MCCLEARY, manager of Loew's Parkway, Baltimore, has been discharged from Sinai Hospital, where he was treated for a stomach ailment.

•

R. A. FIELDING is on leave from the Spencer Circuit at St. John, N. B., to take a course in aeronautical engineering in Toronto.

Name Coast Group On S. A. Relations

HOLLYWOOD, Dec. 8.—David O. Selznick, Walter Wanger and Frank Capra have been appointed to a committee to carry on with John Hay Whitney plans for the organization of the industry's cooperation with Washington on this country's relations with Latin America.

Whitney is the representative here of Nelson A. Rockefeller's coordinating committee of the Government for the Latin and South American republics.

Wanger explained the general aspects of the situation at a meeting of industry leaders, including the heads of the Actors, Directors and Writers Guilds.

Donovan Departs on Government Mission

Colonel William J. Donovan, who is chief counsel for RKO, left suddenly on Friday from Baltimore aboard a Pan-American clipper under an assumed name, on what was regarded as an important mission in connection with U. S. aid to the Allies. It was reported on Friday by the New York *Post* that he would pay an official visit to Marshal Weygand in Algeria and would inspect British forces in the Near East.

It was indicated also that he might visit Greece. Some time ago, Donovan, who was World War commander of the 69th Regiment in France, made a secret and important trip to study European fifth column activities on behalf of Frank Knox, Secretary of the Navy.

William Haynes Dies

UTICA, N. Y., Dec. 8.—William Haynes, 51, veteran Warner Theatre employe and formerly Philadelphia district manager, died here of a heart ailment. He is survived by his widow and two sons.

Pioneer Exhibitor Dead

KENTVILLE, N. S., Dec. 8.—Walter F. Hiltz, 64, who, with Al Clarke of Kentville, as partner, opened and operated the first motion picture theatres in the Annapolis Valley, died here after a long illness.



"MAYBE I'D BETTER THINK THAT OVER!"

There's no percentage in *being uncertain* about *any* phase of your business. How can you be *certain* whether the equipment in your projection room is functioning at its highest possible efficiency? About that, you never need to be in doubt again. An Altec sound service agreement and an Altec booth parts agreement bring you the knowledge that your equipment is operating at its best, *not part* of the time, but *all* of the time. Change to Altec today!

ALTEC SERVICE CORPORATION

250 West 57th Street, New York City

CHANGE TO ALTEC SERVICE • A CHANGE FOR THE BETTER

Wobber and Levy at N. Y. Branch Meeting

Herman Wobber, 20th Century-Fox general manager of distribution, and M. A. Levy, Kent Drive leader, will preside at the New York exchange today at the final meeting of a series in connection with the drive. In addition to Division Manager William Sussman, Branch Manager Harry H. Buxbaum and the local staff, a number of home office officials will attend. Wobber, Sussman and Levy attended a similar meeting Saturday in Boston, where the Albany and New Haven forces also sat in.

Committee Planning O'Shea, Bowen Dinner

An industry committee under the leadership of Harry Brandt will meet tomorrow at the Hotel Astor to plan a testimonial dinner for E. K. (Ted) O'Shea, newly appointed Central division manager for M-G-M, and Jack Bowen, New York branch manager, who will succeed O'Shea as Eastern district head.

Movietone News Shifts

Jack Darrock, Movietone News manager on the West Coast, has been assigned to a supervisory post in short subject production in New York. He has been succeeded in Lost Angeles by Arthur De Titta, formerly with the newsreel in Europe.

Henry King in New York

Henry King, 20th Century-Fox director, is in New York making backgrounds for "The Eagle Flies Again," story of American aviators with the British Royal Air Corps.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

Lazarus Comedy Will Open Tonight

"Every Man for Himself," comedy by Milton Lazarus, starring Lee Tracy, will be presented at the Guild Theatre tonight by Arthur Hutchinson and Arthur Ripley. Ripley also directed. The principal supporting players are Margaret Tallichet, Kay Linaker, Wally Maher, Murray Alper and Grant Richards.

Cinema Lodge Names Advisory Council

Advisory council of the Cinema Lodge, B'nai B'rith, which will serve with Arthur Israel, Jr., newly elected president, and the other new officers for 1941 includes:

Barney Balaban, Joseph Bernhard, Harry M. Warner, Maurice Silverstone, Nate J. Blumberg, Harry Brandt, Jack Cohn, Max Fleischer, Nate Spingold, Major Albert Warner, Abraham S. Weber, Abe Montague, Charles C. Moskowitz, Dr. David De Sola Pool, Abe Schneider, Sam Schneider and Herman Starr.

Proceeds from the lodge's annual banquet and ball held last October will be divided among the following, according to recommendations voted by membership: Anti-Defamation League, Hillel Foundation, A. Z. A., Vocational Guidance, all of which are B'nai B'rith groups; National Conference of Christians and Jews; Inter-Faith Movement; McCosker-Hirschfield Hospital, Leo N. Levi Hospital, Greek Relief Fund and Ezrath Israel.

Heymann Companies Ask Reorganization

French Film Import Company, Inc., and French Cinema Center, Inc., on Friday filed petitions for reorganization in the U. S. District Court, the former listing assets of $12,608 and liabilities of $10,394, and the latter assets of $30,198 and liabilities of $15,199.

The petition, signed by Andre Heymann, president, offers creditors full payment out of future grosses of the films "Heritage," "Gold in the Mountains," and "Harvest."

Among creditors of French Film Import are listed Pathe Laboratories, $744, and the Belmont Theatre, $565. Largest creditor of French Cinema is Marcel Pagnol, French producer, with a claim of $8,564.

Coast, N. Y. Groups to Opening of 'Santa Fe'

A New York group will leave Wednesday and a Hollywood contingent on Thursday to attend the world premiere of Warners' "Santa Fe Trail," in three theatres in Santa Fe, N. M., next Saturday night.

The opening will be the feature of a three-day celebration starting Friday in the New Mexico city. The fiesta is expected to combine Indian, Spanish and Mexican customs. Official receptions, an historic pageant, a costume ball on Friday evening and a grand ball Saturday night after the premiere are on the schedule.

Parks Johnson and Wally Butterworth will broadcast part of the ceremonies on their "Vox Pop" show over CBS at 7:30 P. M. Thursday.

Hollywood Review

"Comrade X"

(M-G-M)

Hollywood, Dec. 8.

M-G-M's "Comrade X" is a scintillating burlesque, satire and farce treating of Communism in Russia, using collectivism with its purges, "ideals" and all its trappings as background for the adventures of an American newspaperman sought by the secret police for sending uncensored stories and photographs to his paper. It is 90 minutes of unadulterated comedy of wide range, winding up with a "chase" sequence which may be remembered as one of the most hilarious finishes ever filmed.

Clark Gable, as the newspaperman, is teamed with Hedy Lamarr, who enacts the role of a Communist tram driver given the name "Theodore" by the workers' council "because only men can drive trams." Miss Lamarr, for the first time in her American career, has been give a role suited to her thespic talents and carries the part admirably. Gable is his usual competent self. Supporting the stars are Oscar Homolka as the sinister OGPU head, Felix Bressart as a hotel porter, Eve Arden as a newspaperwoman, Sig Rumann as a Nazi correspondent, Vladimir Sokoloff, Natasha Lytess, Edgar Barrier and John Piccori.

When the porter fears for the life of his outspoken daughter, he forces Gable, by threatening him with exposure of his identity as Comrade X, to induce her to leave the country. The girl, played by Miss Lamarr, is reluctant to leave Russia, but Gable, pretending to be in sympathy with Communism, tells her that a pretty girl can do more for Communism in America than is then being done. She agrees and they get married in the Russian style—by having official papers stamped and obtaining a postcard to mail back when they want a divorce. Inadvertently, a newspaperwoman lets the girl know that Gable hates Communism and she determines to expose him. In the meantime, the OGPU has arrested her father, who falsely confesses he is Comrade X to save Gable and his daughter. All three are thrown into prison but Gable offers to trade a photograph of an attempted assassination of the OGPU chief for their freedom. Taken to OGPU headquarters, he finds that the would-be assassin is the new chief, having succeeded only the night before in completing his purge.

A deal is made, and the trio, instead of producing the photograph, outwit their pursuers and climb into an Army tank on a railroad car, not knowing that the tank is the general's. They speed off, but hundreds of other tanks, acting under orders, follow the leader, believing it part of maneuvers, chugging and clanging down ravine, over hill and across river. The trio finally reach Romania and then the United States.

The original story by Walter Reisch and the screenplay by Ben Hecht and Charles Lederer drains every drop of humor from the material and reaches new heights in sustained comedy. King Vidor, in his efficient direction, kept events at a vibrant pitch to the climax, obtaining the maximum from the stars, featured players and bit parts. Gottfried Reinhardt supervised as producer.

Running time, 90 minutes. "G."* VANCE KING

** "G" denotes general classification.*

Named District Manager

FORT DODGE, Ia., Dec. 8.—Jesse Day, manager of the Rialto here for the Central States Theatre Corp., has been named district manager and H. N. Schrodt, manager of Central States Grand theatre at Estherville, Iowa, has been named manager of the Rialto.

New W. B. Albany House

ALBANY, Dec. 8.—Erection of a new 700-seat theatre here was announced by M. A. Silver, Warner Theatres state zone manager. Warner's already operate four theatres here, the first run Strand, Ritz, Albany and Madison Theatres.

Approve Foreign Film Ban

Milwaukee, Dec. 8.

THE Milwaukee *Sentinel* has given editorial approval to the action of the Common Council in demanding that the School Board bar propaganda films from schools, declaring that "there are plenty of good American films, educational, interesting and uplifting, with which the children can be entertained and instructed."

The editorial concludes with the observation that "confining school exhibitions to such films instead of accepting free films from foreign government agencies seems like a plain, common sense way to avoid giving the children a picture diet that isn't good for them or for the country."

2,500 Paramount Common Shares Bought by Griffis

WASHINGTON, Dec. 8.—Acquisition of 2,500 shares of Paramount Pictures common stock by Stanton Griffis, chairman of the executive committee, increasing his holdings to 6,500 shares, was the largest of several film transactions reported by the Securities and Exchange Commission in its first semi-monthly summary for October.

The next largest of five transactions reported was the disposition of 1,000 shares of 20th Century-Fox common stock by Sidney R. Kent, president, which reduced his interest to 1,180 shares.

A report on Radio Keith Orpheum showed the disposition of 928 shares of common stock by Radio Corporation of America, which at the close of October held 316,328 shares of common, 555,254 warrants for common and 44,757 shares of RKO preferred stock.

The other film transactions were the acquisition of 200 Universal Corporation common voting trust certificates by Preston Davie, director, increasing his holdings to 2,400 direct and 26,500 held through Standard Capital Co., and disposition of 160 shares of Consolidated Film Industries preferred stock by E. H. Seifert, Fort Lee, N. J., reducing his interest to 400 shares.

A report on Columbia Broadcasting System showed the disposition by H. Bayard Swope of 1,600 shares of Class A common stock held through the Keewaydin Corp., reducing his interest to 1,100 shares held direct and 4,400 held through the corporation.

Hicks Will Conduct Meeting in Panama

John W. Hicks, Paramount vice-president and foreign manager, will conduct a sales meeting of the company's representatives in Mexico, Central America and all of South America except Argentina and Brazil, at Panama on Feb. 5.

Arthur Pratchett, Paramount Central American manager, is expected here from Mexico within the next few days for home office conferences. Other Paramount managers from the Latin American territory will arrive in New York in the next few weeks to see current Paramount product and will return with Hicks some time next month.

Postpone Meeting Of MPPDA Board

The quarterly meeting of the M.P.P.D.A. board of directors scheduled for Wednesday has been postponed due to the absence from the city of George J. Schaefer, president of RKO; Nate J. Blumberg, Universal president, and Joseph H. Hazen of Warners. The latter usually represents Harry M. Warner at M.P.P.D.A. board meetings.

The meeting is tentatively set for Dec. 18, although Schaefer and Blumberg may not be back from the Coast by then. Will H. Hays will arrive from the Coast today.



SANTA FE

THIS WEEK AT



A BIGGER SEND-OFF THAN 'DODGE CITY' AND 'VIRGINIA CITY' –BECAUSE IT'S A STORY MILES BIGGER THAN BOTH!

IT ALL GOES TO SHOW THE WORLD THAT **WARNERS** WILL RELEASE

ERROL FLYNN
OLIVIA DeHAVILLAND
in "**SANTA FE TRAIL**"
with RONALD **REAGAN** • ALAN **HALE**
RAYMOND **MASSEY** • William Lundigan • Van Heflin • Gene Reynolds • Henry O'Neill
Guinn "Big Boy" Williams
Directed by **MICHAEL CURTIZ**
Original Screen Play by Robert Buckner • Music by Max Steiner

Santa


AUTHENTIC
DIAN CEREMONIAL
UBILEE
SANTA FE!
TRIPLE-THEATRE PREMIERE
CORONATION OF THE QUEEN OF THE SANTA FE TRAIL
MONSTER PIONEER PAGEANT
COVERED BY 185 NEWSPAPER CORRESPONDENTS
WE'RE ALL HERE!
ERROL FLYNN • OLIVIA De HAVILLAND • RONALD REAGAN
PRISCILLA LANE • WM. LUNDIGAN • REGINALD GARDINER
JOHNNIE WEISMULLER • RUDY VALLEE • JAN CLAYTON
IRENE HERVEY • JOHN BARRYMORE • ANN SOTHERN
DONALD CRISP • VIRGINIA FIELD • CHARLIE RUGGLES
ARLINE JUDGE • 'BIG BOY' WILLIAMS • JEAN PARKER
WALTER PIDGEON • RITA HAYWORTH • ALLAN JONES
CAROLE LANDIS • MARY HEALY • ROY ROGERS
FILMED BY TWO NEWSREEL CREWS
Santa Fe Trail
For Xmas!

20th-Fox Will Aim to Avoid Trade Disputes

(Continued from page 1)

points out that the block-of-five and trade show provisions of the decree, and those covering the selling of a particular run and the confinement of selling to exchange district boundaries, do not become effective until the beginning of the 1941-'42 season.

No Shorts Forcing

Of the decree provisions which are now in effect, his letter states: "You cannot force the news, shorts or reissues with your features. This principle is no longer merely a matter of company policy; it is a part of the decree.

"Selling clearance is a part of selling pictures. An exhibitor's complaint that his clearance is unreasonable is subject to arbitration; if our job of selling is properly done the clearance we sell should never have to be arbitrated.

"At the last sales convention we asked you to prevent or settle disputes at the source and thereby put a stop to a great deal of expensive litigation. Arbitration proceedings will also be expensive and take up valuable time. Mr. Kent asks me to impress upon you that it is extremely important that you so conduct our business that we will not be drawn into arbitration."

Exhibitors to Hold New Haven Meeting

NEW HAVEN, Dec. 8.—Exhibitors in this territory will hold a joint meeting Tuesday at Ceriani's Cafe Mellone, to discuss legislative problems which may arise in the coming session of the state legislature. Irving C. Jacocks, Jr., vice-president of the Connecticut M.P.T.O., and A. M. Schuman, president of Allied Theatre Owners of Connecticut, will preside. Discussion of the consent decree is also expected.

On the same day all exhibitors and distributors or representatives of allied industries are invited to attend a meeting at the 20th-Fox projection room for the proposed organization of a state film bowling league.

Theatrical Unions Form Buying Group

(Continued from page 1)

merchants and other business houses.

Membership in A.C. will be limited to union members belonging to the 4-A, Equity, American Federation of Radio Artists, American Guild of Musical Artists, American Guild of Variety Artists, Chorus Equity, I.A.T.S.E., Theatrical Managers and Agents, and United Scenic Artists. Also eligible for admission will be trade paper reporters who cover these unions.

Expect 1,000 at Dinner of Philadelphia Variety Club

(Continued from page 1)

RKO; Joseph Bernhard, Warner Theatres head; Albert M. Greenfield; Mayor R. E. Lamberton, Philadelphia; Jack Kelly; Lou Krouse; Jack Beresin; Jay Emanuel, barker; Dr. Leon Levy, barker-elect; Lewis J. Hines, Pennsylvania Secretary of Labor; Dr. John Shaw, Pennsylvania Secretary of Health; and W. G. Van Schmus, Radio City Music Hall managing director.

Postmaster Joseph Gallagher, Philadelphia; William Harrer, local stagehands' union head; John Nolan and Jay J. O'Leary, Comerford-Publix theatres, Scranton, Pa.; and from New York, Leonard Goldenson and Leon Netter, Paramount; William Sussman, 20th-Fox; Robert Mochrie, RKO; Tom Connors, M-G-M; Harry Gold, United Artists; Joe Unger, Paramount; William A. Scully, Universal; James R. Grainger, Republic; Leonard Schlesinger, Warners, and Rube Jackter, Max Weisfeldt and Louis Weinberg, all of Columbia.

Weshner Handles Entertainment

The entertainment, provided by "Skip" Weshner, chairman of the committee, includes the entire "Funzafire" unit with Benny Meroff's orchestra; Vincent Lopez, Edmund Lowe, Ann Dvorak and Peter Lind Hayes, from the Earle Theatre; line of 16 Roxyettes to open and close the show, from Fay's Theatre; Bob Russell and Chaney and Fox, from Jack Lynch's Hotel Walton Roof; Bruce Cabot, Betty Furness, Hugh O'Connell and Mary Brian, from the Locust St. Thetheatre. Benny Fields will be master of ceremonies.

Name Directors of K. C. Variety Club

KANSAS CITY, Dec. 8.—New directors of the local Variety Club, who will elect the club's 1941 officers, are: Sam Abend, George Baker, Arthur Cole, H. J. Griffith, Finton Jones, O. K. Mason, Jay Means, retiring president; C. A. Schultz, Ward Scott, Robert F. Withers and Jerry Zigmond.

Means and R. R. Biechele have been named delegates to the national tent, with Withers and Griffith as alternates.

Christmas Reelected By Omaha Musicians

OMAHA, Dec. 8.—Peter J. Christmas has been reelected president of Local 70 of the American Federation of Musicians for 1941. Other officers are Ernest Nordin, vice-president; H. E. Pace, recording secretary; Mike Chaloupka, financial secretary and treasurer; Fred Berghoff, sergeant-at-arms.

Directors are Emil Hoppe, Arthur Randall, Leonard Gamet, Marvin George and Frank Elias.

Releases Two-Reeler

"Springtime in the Holy Land," a two-reel subject in color, is being nationally released by Astor Pictures as a special Christmas Week attraction.

Bombs Close 320 British Film Houses

(Continued from page 1)

matter of relief for theatres closed by the war.

He insisted, however, on the right of the K.R.S. to question exhibitors seeking concessions, claiming that the distributor must know all the facts concerning the exhibitor's trading position, if he allegedly is unable to operate his theatre.

It is believed likely that this situation will be taken up by a permanent joint committe representing the K. R. S. and the Cinematograph Exhibitors Association which was formed several years ago. Nevertheless, a full debate on the matter is scheduled for the C.E.A. general council meeting next Wednesday.

LONDON, Dec. 8.—The visit of a deputation of film industry labor interests to the British Board of Trade to discuss Government aid in increasing British production has been postponed until Thursday. It had been scheduled for last Friday.

Companies Join In Canada Clearance

TORONTO, Dec. 8.—The membership of the newly-created Clearance Board of the Canadian film industry has been expanded to include two executives of distributing companies in addition to the previously constituted setup of three representatives from the circuits and three independent exhibitors.

After considerable delay in the completion of organization plans, this was decided upon at a meeting of the Moving Picture Section of the Toronto Board of Trade, the members of which represent all branches of the business in the Dominion. The first meeting of the new board is scheduled for Tuesday, when steps will be taken to study the booking situation with a view to priority and protection reforms.

Plan Canadian Units To Handle Charities

TORONTO, Dec. 8.—The organization of local exhibitor associations in cities across Canada for the handling of community patriotic and charity campaigns to which the theatres' efforts can be appropriately applied is an immediate prospect following the success of the recently formed Theatre Managers' Association of London, Ont.

Such units would be made up of circuit and independent managers as in the case of the London body and it is expected they will function under the auspices of the Canadian Motion Picture War Services Committee of which N. L. Nathanson is general chairman.

People's Changes Hands

The People's Cinema, Brooklyn, is now being operated by Hopkinson Theatres, Inc.

A * M * P * A

takes considerable pleasure in welcoming as our guest speaker at the next luncheon meeting

JACK COHN

Executive Vice President, Columbia Pictures.
The topic of Mr. Cohn's address is

"LET'S GET BACK TO SHOWMANSHIP"

Roastmaster On This Occasion:
MAURICE BERGMAN, Advertising Mgr., 20th Century-Fox

* * *

DEE-LIGHTFUL—MARJORIE KNAPP, young singing principal of Ed Wynn's "Boys and Girls Together"

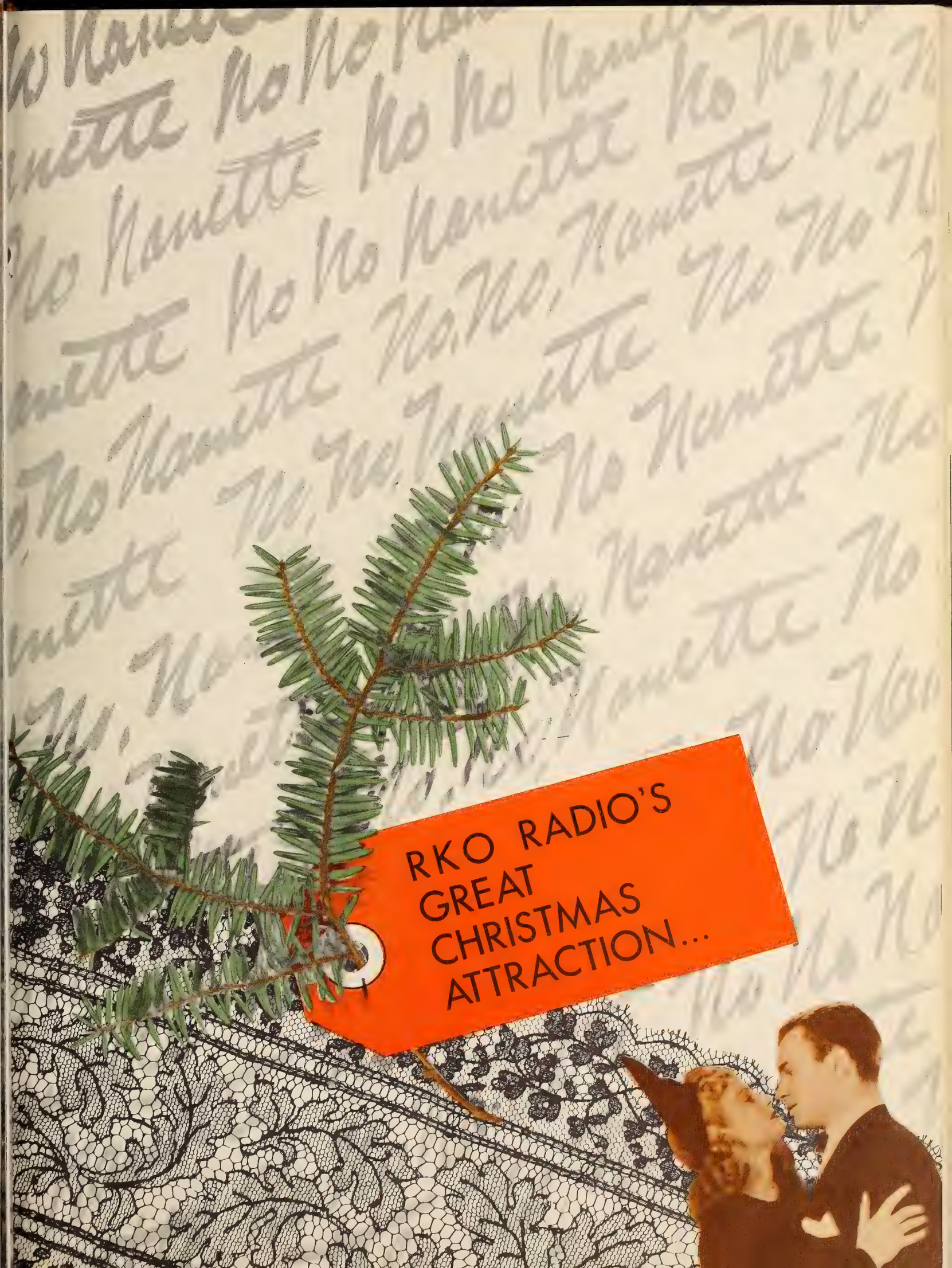
EVERYBODY WELCOME!

(if arriving on time! We start serving promptly at 12:45 p.m. in the beautiful SUN ROOM)

THURSDAY-DEC. 12—HOTEL EDISON

$1.25

for luncheon, including tip, to non-members and well worth it!


RKO RADIO'S
GREAT
CHRISTMAS
ATTRACTION...


The "No, No" Girl
with the Yes, Yes eyes..
CHRISTMAS ATTRACTION
RADIO CITY MUSIC HALL

ALL THAT IT TAKES FOR A "MAKE-YOU-HAPPY" HIT!

The glamorous star of "Irene" in the famous "Tea For Two" musical romance... told to the lilting melodies of VINCENT YOUMANS... From stage to screen in a glorious sunburst of golden entertainment, with a happy-go-laughing cast playing the story to the hilt for comedy. A magnificent show for any day in the year—AND BOX-OFFICE EVERY MINUTE!





ANNA

NEAGLE

in

No, Nanette

with

RICHARD CARLSON ★ VICTOR MATURE ★ ROLAND YOUNG

HELEN BRODERICK ★ ZASU PITTS ★ EVE ARDEN

TAMARA ★ BILLY GILBERT ★ STUART ROBERTSON







Produced and Directed by

HERBERT WILCOX

Screen Play by Ken Englund

From the Musical Comedy—"No, No, Nanette"—by Frank Mandel, Otto Harbach, Vincent Youmans, Emil Nyitray

Music by Vincent Youmans—Lyrics by Irving Caesar and Otto Harbach

RKO RADIO PICTURES





YOU'LL BE SEEING ORSON WELLES SOON AS "CITIZEN KANE"



Anticipation is sweeping Hollywood over its first look at Orson Welles' long-awaited first motion picture "Citizen Kane." Inside word has it that sensationally new dramatic treatments are only one of the unique elements that go to make it one of the biggest attractions ever screened. RKO Radio will release it soon—and another big one from the same studios soon to lead the nation in laughter is the Alfred Hitchcock-directed comedy starring Carole Lombard and Robert Montgomery—"Mr. and Mrs. Smith."

LITHO U

Showmanship Flashes . . .

Music Booth in Lobby Is 'Tin Pan Alley' Stunt

NEW HAVEN, Dec. 8.—Nat Rubin, Loew-Poli assistant manager here, designed a sheet music booth in the lobby, inside which a singer from Kresge's music counter and pianist let the patrons hear the numbers they requested from "Tin Pan Alley." The booth was hung with sheet music and copy on the picture, and flanked with life-sized figures of Betty Grable and Alice Faye.

Elaborate Campaign Used on 'Bagdad'

United Artists' publicity and exploitation department has prepared an elaborate opening campaign on "The Thief of Bagdad," currently playing the Music Hall here. The plans included a costume ball at Manhattan Beach, a huge float of the Djinni in the Macy Thanksgiving Day parade, Fifth Avenue window displays in several important stores, a special screening and laugh contest held for the youngsters at Bellevue Hospital, a skating exhibition by performers wearing "Bagdad" costumes, and other stunts. The Macy parade float and another of an elephant are being used on other key city engagements.

Night Clubs Publicize Opening of 'Santa Fe'

New York night clubs and restaurants are cooperating with Warners in publicizing the premiere of "Santa Fe Trail" in New Mexico this week. The clubs are showing wall cards announcing the premiere.

Letter Contest Used On 'Philadelphia Story'

CINCINNATI, Dec. 8.—The Cincinnati *Post*, in cooperation with RKO, offered three cash prizes and 10 tickets for "The Philadelphia Story," at the RKO Palace, for the best contributions under title of "Cincinnati Story," of not more than 25 words, based on a true happening in Cincinnati during 1940.

Display War Weapons For 'Blackout' Run

An exhibit of rifles, binoculars and steel helmets, collected by the American Committee for Defense of British Homes, is on display at the Globe Theatre on Broadway in conjunction with the run of "Blackout," U. A. film. Patrons are requested to donate similar articles for distribution to British civilians. U. A. plans similar tieups throughout the country.

Sues Over Drawing

Muncie, Ind., Dec. 8.—Mary E. Kerkondis, 16, has brought suit against the Rivoli, Strand, Grand, Uptown and Hoosier theatres here for $2,000. She alleges she held the winning number in a drawing conducted jointly by the houses, and was refused the prize when she was called to the stage because she is under 18.

Feature Reviews

"Let's Make Music"

(RKO)

THERE is a good deal of light, unpretentious entertainment in this story of an aging, small town music teacher who crashes Broadway with the song she has written for the high school band.

The song is popularized by Bob Crosby's orchestra, and Elizabeth Risdon, who plays the small town music teacher, is invited to New York to appear with the orchestra during a night club engagement. Jean Rogers, as the music teacher's niece, is opposed to her aunt's appearances but is won over by Crosby. Theatre engagements for the aunt follow while the song is at its height, but that popularity dwindles more rapidly than does the elderly teacher's infatuation with the spotlight. Her health is impaired at the very time that the bottom drops out of her Crossley rating but, determined not to be just "a flash in the pan," she refuses to leave New York until she has written another "hit" song. This she does, with the help of Crosby, whose romance with the niece has made progress. Auntie, a success, returns to her classes.

Joseph Buloff, Frank Orth, Walter Tetley and Benny Rubin are good in character parts. Howard Benedict produced, with Leslie Goodwins directing.

Running time, 84 minutes. "G."* SHERWIN A. KANE

"The Lilac Domino"

(Select Attractions)

"The Lilac Domino," first a stage operetta, was adapted to the screen and produced in England with Michael Bartlett, June Knight, S. Z. Sakall and others performing under the direction of Frederick Zelnik.

Bartlett is a prodigal Hungarian count who gambles away a fortune and goes to work for Emney, a rich baron. Miss Knight is Emney's daughter. She and Bartlett are in love. A turn of events leads her to suspect him of being a fortune hunter, but he convinces her eventually that it is true love. As the story is told, both sing frequently.

Running time, 65 minutes. "G."*

**"G" denotes general classification.*

Axis Stronghold

San Francisco, Dec. 8.—The large German-Italian population here is providing a profitable film venture for Mario Parisi. His small Princess Theatre, opened four months ago to show German films exclusively, continues to do a comfortable business. Now he has opened the old Tivoli Theatre to show Italian pictures, and the first two weeks' response encouraged him to take a lease on the theatre.

Underwood, Ezell Plan Texas Circuit

DALLAS, Dec. 8.—W. G. Underwood and C. C. Ezell, Republic distributors for Texas, plan the construction of two drive-in theatres here at a cost of $100,000.

Their building program for the state also includes drive-in theatres for Austin, Waco and Fort Worth. They already are operating similar enterprises at Houston and San Antonio. The total investment is said to be about $500,000. Construction is expected to start on the two local houses within a few days.

Gets Rights on Film

Saul Solomon of Exclusive Pictures Corp. has acquired the rights to "Speed Limited," for New York State and northern New Jersey and will open the picture at the Central Theatre on Broadway on Wednesday. Regent Pictures produced the film.

Seek Applicants for Screen Job in Army

WASHINGTON, Dec. 8.—The United States Civil Service Commission today invited applications from persons willing to accept employment with the War Department as associate animation director.

The commission announced that applications would be received until Jan. 3 (Jan. 6 for West Coast states) for the $3,200 a year position, Applicants must have had considerable experience in directing, planning and writing in the motion picture field, including familiarity with the technique of animated motion pictures.

RKO Sets New Year Eve Shows in Ohio

CLEVELAND, Dec. 8.—RKO Theatres plan special midnight shows in all houses in this division on New Year's Eve. A reserved seat policy at advanced admissions will be in effect at the Palace here and the Palace in Columbus, with stage shows at both houses.

Testimonial Is Held For Bill Robinson

A testimonial dinner for Bill Robinson, sponsored by the Negro Actors Guild, was held at the Mecca Temple Casino last night with about 500 persons present, James J. Walker was toastmaster. Entertainment followed the dinner, with Dan Healy and Ed Sullivan as masters of ceremonies.



FCC Licenses 7 FM Stations; New Calls Set

WASHINGTON, Dec. 8. — Two New York FM stations, two in Chicago, and one each in Hartford, Conn., Pittsburgh and Nashville, were authorized for commercial operation after Jan. 1 by the FCC over the weekend. The new grants give New York City six commercial FM stations and Chicago three.

The FCC also announced that it had adopted a new method of assigning call letters for FM stations. The first letter will be either W or K, depending on whether the station is east or west of the Mississippi.

The second two characters will be numerals, not letters, and will designate which one of the 40 FM frequency channels the station uses. The last one or two letters may be assigned arbitrarily or may designate the city. Thus, W41B might designate a Boston station operating on the 44.1 m.c. channel, while K43SF might be a San Francisco station operating on 44.3 m.c. Not more than five characters may be used. All educational stations must use E for the last letter. The system is similar to that in use in Chile for standard broadcast stations.

Commercial operation of FM stations was authorized for the Bamberger Broadcasting Service (WOR) and Metropolitan Television (Bloomingdales and Abrahams & Strauss) for New York; NBC and WGN, for Chicago; WDRC, Hartford; Walker-Downing Radio Corp., Pittsburgh, and National Life & Accident Insurance Co., Nashville.

Grant Permits for Two New Stations

WASHINGTON, Dec. 8.—The Federal Communications Commission has granted construction permits to Willard Carver & Byrne Ross for a new 1,120-kilocycle, 250-watt daytime station at Lawton, Okla., and Blanfox Radio Co., Inc., for a 1,420-kilocycle, 250-watt station at Harlan, Ky.

The commission also authorized Stations WBIG, Greensboro, N. C., and WNAX, Yankton, S. D., to increase night power from 1,000 to 5,000 watts; KRLH, Midland, Tex., to increase power from 100 to 250 watts; WFEA, Manchester, N. H., to increase power from 500 watts night, 1,000 watts day, to 5,000 watts; KGEZ, Kalispell, Mont., to change frequency from 1,310 to 1,430 kilocycles and increase power from 100 to 1,000 watts, if a directional antenna is installed, or alternately to keep its present frequency and increase power from 100 to 250 watts, and WTRY, Troy, N. Y., to increase time from day to unlimited.

An application of J. Leslie Doss for a new 1,370-kilocycle, 250-watt station at Bessemer, Ala., was ordered set for hearing on a date later to be determined, as were the applications of Stations WSAN and WCBA, Allentown, Pa., for increase of power from 500 to 5,000 watts.

Off the Antenna

NATIONAL Association of Broadcasters' directors were guests of NBC on Friday to witness a special television show put on for their exclusive entertainment. With the NBC television transmitter off the air for repairs, the N. A. B. directors witnessed the performance on receiving sets which picked up the show by wire from the studio. A "March of Time" film, and three live acts, Betty Hutton, Gus Van and the Deep River Quartet, constituted the program. Miss Hutton came in for special praise as a particularly good television personality.

The N. A. B. concluded a two-day board of directors' meeting Friday by voting an expression of satisfaction in the conduct of the radio industry's fight against Ascap.

• • •

Purely Personal: *Dr. James R. Angell, NBC educational counsellor, W. G. Preston, an educational director, and Bill Kostka, manager of the press department, returned over the weekend from a trip through the Midwest. . . . Gilbert Miller, Broadway producer, will be guest on "Footlight Forum" over WMCA tonight at 8:15 P.M. . . . Herman Bess, WNEW sales manager, returned over the weekend from a business trip to Chicago.*

• • •

A shakeup in the NBC program department was decided upon by the network's board of directors Friday but details of the reorganization will not be made known until today. A number of consolidations and personnel shifts were voted.

• • •

Industry figures expressed great interest over the weekend in the appointment of Edward F. McGrady, vice-president in charge of labor for RCA, as consultant on labor to Secretary of War Henry L. Stimson. McGrady has taken a leave of absence from his RCA post.

• • •

Program News: *"Charlie and Jessie" will replace "Short, Short Story" for Campbell Soup over 53 CBS stations today. It will be heard Mondays, Wednesdays and Fridays at 11 A.M. with Donald Cook and Florence Lake in the leading roles. . . . Maxine Keith will start a recorded program over WINS at 9:45 A.M. today and will be heard at that time Mondays through Saturdays.*

• • •

The Dumont television station, W2XWV, had scheduled yesterday an unusual football telecast. Picking up the play-by-play description of the professional football championship game from Washington, broadcast over Mutual, W2XWV described the game by a mechanical board description.

199 Domestic Stations Give Foreign Shows

WASHINGTON, Dec. 8.—A total of 199 domestic stations now schedule programs in one or more foreign languages and 57 others have done so at some time during the past six months, the FCC disclosed over the weekend in a report on foreign language stations.

Thirty-one foreign languages are heard on 1,721 current weekly programs representing almost 1,330 hours of non-English language programs a week, it is shown in an analysis of replies to a questionnaire recently distributed by the FCC.

Approximately three-fourths of this time is in Italian, Polish, Spanish, Yiddish or German.

Most of the foreign language stations are in the lower-priced class, with 108 of the 199 licensed for 250 watts or less. Most of them are in areas with considerable foreign born populations, the FCC found.

Grierson to Speak

John Grierson, Film Commissioner of Canada, will speak on "Youth" at Columbia University this evening in a series of addresses on "Living History" sponsored by the Institute of Arts and Sciences.

Report Ogilvie Out In BBC Shakeup

London, Dec. 8.—It is reported unofficially here that as the result of an inquiry by the Government into the operations of the British Broadcasting Co., impending changes may include the resignation of Director General Ogilvie and Sir Stephen Tallents, overseas director.

Preferred, Common Dividends by RCA

RCA board of directors on Friday declared a dividend of 87½ cents per share on the first preferred stock and a dividend of $1.25 on the "B" preferred stock, payable Jan. 1 to holders of record Dec. 13. A dividend of 20 cents was declared on common stock, payable Jan. 27 to holders of record on Dec. 20.

Six executives of RCA Communications were elected vice-presidents of that company. The new officials are John B. Rostron, traffic manager; C. W. Latimer, chief operations engineer; H. H. Beverage, in charge of research and development; F. W. Wozencraft, general counsel; L. G. Hills, controller; and A. B. Tuttle, treasurer. The appointments are effective immediately.

Opens Detroit Exchange

DETROIT, Dec. 8.—Albert Dezel Roadshows have opened an office in the Film Exchange Building here. William Kent is office manager.



The Industry's leading sound engineers prepared this book for you!

MOTION PICTURE SOUND ENGINEERING

■ 547 pages, completely covering every practical method and process in present day sound engineering. Every detail of apparatus and its arrangement is minutely explained and profusely illustrated. Here is the practical answer to the perplexing problems of sound engineering. If you deal with sound at all, you should have this authoritative treatise!

$6.50 POSTPAID

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER, NEW YORK

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 113 NEW YORK, U.S.A., TUESDAY, DECEMBER 10, 1940 TEN CENTS

Weekend Big; B'way Houses Near Capacity

Expected Pre-Xmas Lull Not in Evidence

The expected pre-Christmas lull has failed to materialize at Broadway first runs and most houses played at capacity over the past weekend. Thursday and Friday were off because of bad weather but Saturday and Sunday business was near capacity in most instances and there were lobby waits in several houses during the evening hours.

Seven legitimate plays which gave performances Sunday also did good business. Four of them drew better than they did the previous Sunday, while three were a bit off, according to James F. Reilly, executive

(*Continued on page 6*)

$120,000 Minneapolis Suit Against Majors

MINNEAPOLIS, Dec. 9.—An anti-trust suit asking $120,000 damages has been filed against the eight major distributors in U. S. District Court here by Irving Gillman, local exhibitor. The action alleges that he was forced to close his 300-seat Esquire here after being unable to obtain sufficient major company product. A similar charge is made on a poster adorning the front of the closed theatre.

Theatres to Gain By Long Holiday

The outlook is favorable for one of the best pre-Christmas weeks in years for theatres in New York, according to managers, as a result of the announcement by the Board of Education that the schools' holiday vacation season will start after classes end Friday, Dec. 20, instead of Dec. 24, the customary date. Since the pre-Christmas week is usually the worst of the year, the fact that school children will be on holiday for four extra days is expected to make this week one of the best instead of one of the worst.

RKO Sales Drive Starting Jan. 25 To Honor Depinet

Ned E. Depinet, vice-president of RKO, will be honored in the company's 1941 billings drive, which will extend from Jan. 25 to May 9, a period of 25 weeks.



Ned Depinet

Captain of the Ned Depinet Drive will be Leo Devaney, Canadian division manager, who is at the home office setting plans for the campaign. Walter Branson, Midwestern district manager, previous drive captain, is conferring here with Devaney.

Devaney will hold individual meeting at branches prior to the drive.

During the period of the drive some of the company's top productions are scheduled for release. Among them are : "No, No Nanette," "Kitty Foyle," "Mr. and Mrs. Smith," "Citizen Kane," "A Girl, A Guy and a Gob," "The Devil and Mrs. Jones," "Tom, Dick and Harry" "They Met in Argentina."

SEE NO PRODUCT SHORTAGE UNDER NEW SALES SYSTEM

Minimum Delivery on Current Season to Give Each of 'Big 5' 10 to 15 Films When Block-of-Five Becomes Effective

There is no danger of a product shortage in any exchange district either during or after the changeover of the "Big Five" to the new local selling system under the Federal consent decree, beginning with the 1941-'42 season, in the opinion of several sales executives. They indicate that they are preparing for the switch and will have ample product at the outset and regular releases thereafter.

By delivering the minimum instead of the maximum number of pictures sold on current season's contracts and by clearing up their schedules earlier than usual this season, the "Big Five" can have 10 to 15 completed films each when the blocks-of-five selling system is launched next summer.

Studios, geared to turn out the maximum number of pictures projected at the beginning of the season, in most cases will do so. However, the minimum number sold will be delivered this season, and the additional pictures will be held in reserve as a foundation for the initial block offerings for next season.

Additional product for the start of the new selling system will be completed during the three months preceding the opening of the new season, as is always the case, thus providing each of the five consenting companies

(*Continued on page 6*)

W.B. Revenue Up 50%, Meeting Told

WILMINGTON, Dec. 9. — Warner Bros.' revenue for the first quarter of the new fiscal year ending Nov. 30 was 50 per cent higher than during the same period in 1939, Edwin D. Steel, Wilmington attorney who presided at the Warner stockholders'

(*Continued on page 8*)

Ascap Ban to High Court; BMI Takes 20,000 Titles

WASHINGTON, Dec. 9.—The Supreme Court today consented to review the procedure followed in the appeal of the State of Nebraska from a District court decision of 1937 invalidating as a violation of the Federal Copyright law the Nebraska statute barring Ascap from the state.

The suit was brought in June, 1937, by the music society to enjoin enforcement of the law making it unlawful for authors, composers, publishers or owners of copyrighted musical compositions to combine to form an organization, if one of the objects of the organization is the determination of license fees required for the use of copyrighted music for profit in Nebraska.

A motion by the state to dismiss the case was overruled and in November, 1937, an interlocutory injunction was granted on the ground that one of the provisions of the law was a violation of the Copyright Act, there-

(*Continued on page 9*)

Hard on the heels of the announcement of the acquisition of the 15,000 titles of the E. B. Marks Music Corp. catalogue over the weekend, BMI yesterday announced acquisition of performing rights to 5,000 additional hillbilly, race and novelty selections of the Southern Music Co. Latin-American songs acquired from Southern had been revealed weeks ago but yesterday's songs are native product.

The five-year license of the Marks catalogue to BMI had been rumored for some time. Only 6,000 titles of the 15,000 have been cleared thus far and already there is some question as to the rights of broadcasters to perform the music if either the score or lyrics had been written by Ascap members.

"All the works in the Marks catalogue written by any writer members of Ascap are controlled by Ascap and no radio station may use them unless they have a license from Ascap," John

(*Continued on page 9*)

Coast Arbitration Units Set This Week

J. Noble Braden, executive secretary of the American Arbitration Association, in charge of the 31 local boards being set up for the industry, will have completed organization of the Far Western boards by the end of the week and will return to New York on Saturday. Braden will leave Dec. 17 to set up boards in the Midwest, and after Christmas will visit the South to establish the boards there. All are scheduled to be ready for hearings by Feb. 1.

Two New English Theatres Opened

London, Dec. 9.—Despite almost constant raids by Nazi bombing planes, theatre building in England has not been halted. Two new theatres have been opened within the past few weeks, one at Cotonend Warwick and the other at Grays in Essex.

200 at Dinner to Dunbar and Moore

PITTSBURGH, Dec. 9.—About 200 exhibitors and exchange men attended a testimonial dinner here tonight at the William Penn Hotel for Robert H. Dunbar, Warner office manager and city salesman, who has been promoted to manager in Cincinnati, and for Dinty Moore, salesman who succeeds Dunbar.

Burtus Bishop, Jr., recently appointed Kansas City district manager for M-G-M, was toastmaster. Among the speakers were Harry Kalmine, Warner Theatres zone manager; John H. Harris, Senator Frank Harris and Edward T. Beedle of Pittsburgh; Roy Haines, Warners division manager, and District Managers Robert Smeltzer and Charles Rich. Dunbar and Moore were presented watches.

On 'Fantasia' Tour

Richard Condon, publicity director for Walt Disney Productions, and Frank Braden, have left on a nationwide tour to prepare for the opening of "Fantasia" in all cities after the first of the year. They will be gone three months.

MAINLINERS
to
LOS ANGELES



NO CHANGE OF SLEEPERS

The Continental Lv. 5:10 pm
The Overland Flyer Lv. 11:30 pm

Luxurious thru coast-to-coast Mainliners — at United's high, smoother flight levels.

Travel agents, hotels, or

UNITED AIR LINES

67 Wall St. or 58 E. 42nd St.
MU-2-7300

Personal Mention

EDWARD SCHNITZER, Warners Eastern district manager, left LeRoy Sanitarium Saturday after a week's illness. He is expected to be back in his office this week.

•

SAM GALANTY, Mideast division manager for Columbia, is spending a few days in Washington, and plans to visit the Cincinnati branch later this week.

•

ROBERT MOCHRIE, Eastern division manager for RKO, left yesterday by train on a visit to the Cleveland exchange.

•

WILLIAM GOLDMAN, operator of a Philadelphia circuit, has left for Bermuda to spend the Christmas holidays.

•

CHARLES GOLDREYER, operator of the Ritz, Bronx, has left for Miami.

•

PAULINE KELEN of the WALTER READE home office returned yesterday from a Miami vacation.

•

MRS. HOMER COMER, wife of the manger of the Warner Capitol, Philadelphia became the mother of a daughter last week.

•

CHARLES BERGMAN, assistant manager of Warners' Virginia, Atlantic City, has left on a six-week trip to the Coast.

•

H. IVOR DAUM, manager of the Strand, Allentown, Pa., has returned to his post after being out for a month due to an operation.

•

JOSEPH WALSH of the Colonial Theatre, Hartford, Conn., is at home, nursing an infected tooth.

•

F. E. JUDD, Des Moines manager for Monogram, is confined to his home with the flu.

EDWARD PESKAY, Eastern representative for HAL ROACH, is expected today after a trip to Pittsburgh, Detroit and St. Louis.

•

TED SHAW, assistant to WILLIAM C. GEHRING, 20th Century-Fox Central division manager, is on a trip to Detroit and Toronto.

•

WILLIAM F. RODGERS, OSCAR A. DOOB, ED SAUNDERS, SIDNEY PHILLIPS, MARCUS HEIMAN, ARTHUR HOPKINS, TOM CONNORS, GEORGE SKOURAS, EDDIE CANTOR and OWEN DAVIS having lunch yesterday at Nick's Hunting Room in the Astor.

•

WILLIAM SUSSMAN, HARRY BUXBAUM, JOSEPH LEE, SAM SHAIN, JOHN D. HERTZ, JR., WILLIAM MELNIKER, GUY BOLTON, FRANK PHELPS, CLAYTON BOND, MORRIS HELPRIN, MORT SPRING, DAVE BLUM and AL LEWIS at SARDI'S yesterday for lunch.

•

RALPH POUCHER, ALAN FREEDMAN, DOUGLAS ROTHACKER, PAUL LAZARUS, EMANUEL SILVERSTONE, NORTON RITCHEY and MAURICE BERGMAN lunching at the Tavern yesterday.

•

JACK COHN, NATE SPINGOLD, ARTHUR GOTTLIEB, IRVING BERLIN and JOSEPH PINCUS having lunch at Lindy's (51st St.) yesterday.

•

MAX WEISFELDT, RUBE JACKTER, IRVING SHAPIRO and SAM TULPIN at Lindy's (next to the Rivoli) yesterday for lunch.

•

JOHN LATIMER, manager of the Waverly, Drexel Hill, Pa., is the father of a daughter, born last week to MRS. LATIMER at Hahnemann Hospital, Philadelphia.

•

MILTON YOUNG of the publicity department of Warner Theatres, Philadelphia, is home ill with the grippe.

Fay Loses $4,000 in Providence Holdup

PROVIDENCE, Dec. 9.—Two armed holdup men forced Manager Albert J. Clarke of the Majestic and an usher, John Sergey, into Clarke's car at the height of the noon rush in the downtown section today, forced Clarke to drive several blocks, and escaped with $4,000, the weekend receipts of the Majestic and Fay's Theatres.

Both houses are operated by Edward M. Fay. The Carlton, Fay's other house here, had made its bank deposit earlier in the morning.

Officials said the loss was insured.

Expect Aid of S. A. G. For Publicist Guild

Support of the Screen Actors Guild is expected to be pledged by Ralph Morgan, S.A.G. president, when he speaks before the Screen Publicists Guild here Thursday, SPG officials said yesterday. Petitions for recognition of the S.P.G. by the major companies are now pending with the National Labor Relations Board.

Nominations of officers for the coming year will also be made at Thursday's meeting.

Irving Mintz, Para. Projectionist, Dies

Irving Mintz, 48, a Paramount home office projectionist for the past 14 years, died on Saturday at Beth David Hospital, New York, following a brief illness. Funeral services were held Sunday at Riverside Memorial Chapel, with burial at Montefiore Cemetery, Springfield, L. I. His wife, Anna, seven brothers and two sisters survive.

Bernhard Attends Cleveland Meeting

CLEVELAND, Dec. 9.—Joseph Bernhard, general manager of Warner Theatres, was here today for a meeting of managers of the circuit in the Ohio zone. Nat Wolf, zone manager in the territory, presided. General operations, forthcoming product and other matters were taken up.

Bonus by Ohio Circuit

HAMILTON, Ohio, Dec. 9.—Employes of the Northio Paramount, Palace and Rialto here whose remuneration has been $25 per week or more during the year will receive a $25 bonus. Those who have been paid less will receive one week's salary, according to Tracy Barham, general manager.

Hays Lauds Coast Support of Charity

Will H. Hays, M.P.P.D.A. president, paid tribute to Hollywood's charitable activities and accomplishments in recent weeks, following his return to New York yesterday from a three-week visit on the Coast.

"The industry's organization for charity is one of the most interesting developments in recent years in Hollywood," Hays said.

He related that 17,911 studio workers contributed a total of $465,708 to the recent Los Angeles Community Chest drive, exceeding its quota, leading all other Los Angeles industries in contributions and accounting for 17 per cent of the total community chest fund. The drive in the industry was directed by Louis B. Mayer.

Hays also cited the recent industry drive for American Red Cross and Allied Relief, under the direction of Samuel Goldwyn, in which $440,000 was raised, and the continuing work of the Motion Picture Relief Fund, to which every Hollywood employe is pledged to donate one-half of one per cent of salary annually.

"None of this includes the many very large gifts by industry individuals, not incident to any of the general drives," Hays pointed out.

Last 20th-Fox Drive Meeting Held Here

Three series of Kent Sales Drive meetings in 20th Century-Fox exchanges were concluded yesterday with a session at the company's New York branch. The 18-week drive ends this week. Winners will be announced in January.

Attending yesterday's meeting were Herman Wobber, general manager of distribution; M. A. Levy, drive leader; Harry Buxbaum, branch manager; Joseph J. Lee, sales manager at the exchange; Moe Sanders, office manager; William Sussman, Eastern sales manager; William Clark, short subject sales manager; Roger Ferri, editor of the company's house organ, *Dynamo*, Jack Sichelman, Joseph Bloom, Clarence A. Hill, E. H. Collins, Martin Moskowitz and others.

Levy, who is branch manager in Minneapolis, will return to his post late this week.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

This Thing Called Love

is the only
thing that could
excitingly unite

for the first time...



THE STAR OF "NO TIME FOR COMEDY"

and

THE MAN WHO "STAYED FOR BREAKFAST"



COLUMBIA PICTURES

Columbia gives you Rosalind Russell and Melvyn Douglas...thrillingly together for the first time...at the very height of their popularity...in a high-spirited comedy show...a miracle of marital highjinks!



ROSALIND RUSSELL · MELVYN DOUGLAS

This Thing Called Love

BINNIE BARNES · ALLYN JOSLYN · GLORIA DICKSON

LEE J. COBB · GLORIA HOLDEN

Based upon the play by Edwin Burke, as produced by Patterson McNutt · Screen Play by George Seaton, Ken Englund, P.J. Wolfson

Directed by ALEXANDER HALL · *Produced by William Perlberg*

A COLUMBIA PICTURE

Totalitarian Rule Governs French Films

A license from the Ministry of Information will be required by any organization undertaking activity in any branch of the film industry in France, it is reported to the New York *Times* from Vichy, seat of the French Government in unoccupied France.

Such licenses may be revoked or may be limited to a specified period. All the principal officials of any film company must have identification cards issued by the film organization committee, which operates under the direct supervision of Vice-Premiere Pierre Laval.

Theatres in the future will be obliged to base their profits on a supervised report of receipts. They will pay specified dues to the film organization and Government taxes, also based on receipts. It is ordered that no program shall exceed 3,800 meters (12,500 feet) of film, not including newsreels, and no program shall include more than one film of more than 1,300 meters (4,000 feet). Violations may be punished by seizure of the films and closing of the theatre from one week to one year.

Meanwhile, Erpi reports on the basis of information from Fred Hotchkiss, manager in Marseilles, and H. L. Pemberton, Paris manager, that theatres throughout France are rapidly returning to normal operating conditions. However, Hotchkiss reports difficulty in traveling, since the Vichy Government requires special permits for rail journeys.

Vivien Leigh to Be at 'Wind' Anniversary

Vivien Leigh, Laurence Olivier and Alfred Hitchcock will attend the anniversary premiere of "Gone With the Wind," Thursday night at Loew's Grand, Atlanta, exactly one year after the world premiere of the film at that theatre. William R. Ferguson, M-G-M exploitation manager, leaves by plane today for Atlanta to supervise the opening.

Festivities will be highlighted by the selection of the winner of the "Miss (GWTW) Anniversary" contest which is being conducted by the Atlanta *Constitution*. A camera crew and a test director are now interviewing applicants. Clark Howell, publisher of the newspaper, will be master of ceremonies. The premiere will be sponsored by the Atlanta Committee of the British War Relief Fund.

M-G-M Buys 'Big Time'

HOLLYWOOD, Dec. 9.—M-G-M today purchased "The Big Time," story of vaudeville by Howard Emmett Rogers. It will feature Eleanor Powell, Judy Garland, George Murphy, Walter Pidgeon and Frank Morgan. Arthur Freed will produce.

'Navy Blues' to W.B.

HOLLYWOOD, Dec. 9.—Warners have purchased "Navy Blues," a service story by Arthur Horman. It will be produced by Hal B. Wallis with Mark Hellinger as assistant. Sam Perrin will do the screenplay.

Last Minute Coast Flashes

Hollywood, Dec. 9

THE dispute between the Screen Actors Guild board of directors and the Class B Council, abolished nominal governing group for extras, was still on today as petitions charging irregularities in the recent referendum on the council's abolition were reportedly being circulated among extras. Their leaders say they have about 1,500 signatures of extras affirming that they voted for continuance of the Class B Council, despite the fact that an auditor's report declared only 507 voted for it. Extra leaders are also irked because of Guild board's refusal to allow Council checkers or observers to witness the ballot counting and because the Council was given no voice in the wording of the ballot question, and other matters.

• •

Showdown between the I.A.T.S.E. and the American Society of Cinematographers over cameramen's jurisdiction may come Wednesday, the starting date for James Roosevelt's "Pot o' Gold," for which Hal Mohr, suspended by the A.S.C. for alleged non payment of dues, is set as the cinematographer. Under the producers-A.S.C. agreement, the first cameramen at studios must be A.S.C. members. Mohr is a former officer of I.A.T.S.E. Photographers' Local 650.

• •

R. B. Lord, laboratory superintendent at Erpi's Hollywood plant, is the first of Army reserve officers among technical engineers here to be called for a year's active service. He will report tomorrow to San Luis Obispo for duties as a first lieutenant in the Signal Corps.

Republic Will Have First Feature on Conscription

Hollywood, Dec. 9

REPUBLIC appears to be the first studio to produce a film based on national conscription. It is "Rookies' Roost," a comedy by F. McGREW WILLIS, which ALBERT J. COHEN will produce. The studio has had the property for some time and had writers working on it, but only over the weekend did HERBERT J. YATES and M. J. SIEGEL decide that the time is ripe for such a topic.

• •

DOUGLAS KENNEDY, PETER ASHLEY, GEORGE CAMPEAU, HERBERT ANDERSON AND TOM NEAL play the leads in Warners' "Wings of Steel," two-reel color preparedness short which B. REEVES EASON will direct. . . . RED SKELTON'S first role at M-G-M under his term contract will be the comedy lead in "Lady Be Good," which will star ANN SOTHERN, ELEANOR POWELL and TONY MARTIN. . . . FRANK M. THOMAS has been set for "Peaceful Valley," WEAVER BROS. and ELVIRY film at Republic. . . . "The Monster and the Girl" is the final title for Paramount's "D. O. A." . . . Warners has changed the title of "Bar Horizon" to "Her Great Lie." It is a BETTE DAVIS-GEORGE BRENT vehicle.

• •

Jackie Moran and his band of 15 start a personal appearance tour at Santa Barbara Dec. 13. . . . The next "Range Busters" picture George Weeks will produce for Monogram is "Gun Smoke Valley," from an Oliver Drake original. . . . M-G-M has purchased "The Uniform," original by Hans Kafka, for a Hunt Stromberg production. It deals with a British Army officer discharged from the service, and the locale is Burma and Hongkong.

• •

EDWARD G. ROBINSON will broadcast his "Big Town" show from New York for several weeks in January. He leaves for the East upon completion of the Warner film, "The Sea Wolf" . . . MILTON WEISS of M-G-M's New York publicity department is here on his annual visit. . . . ROBERT SISK and GARSON KANIN will, respectively, produce and direct "Tom, Dick and Harry," GINGER ROGERS' next at RKO.

• •

M-G-M will re-release "Peace on Earth," one-reel color cartoon, because of numerous requests for rebookings at holiday time. . . . DONALD WOODS, ROBERT ARMSTRONG and KATHRYN ADAMS head the cast of Universal's "Sky Raiders," a serial. . . . M-G-M has given RUTH HUSSEY a contract extension. . . . GENE LOCKHART has been cast as a villain in "Billy the Kid," at M-G-M. ROBERT TAYLOR plays the title role. . . . ROY ROGERS will support WEAVER BROS. and ELVIRY in Republic's "Arkansaw Judge." . . . "Fools Rush In" is the new title for M-G-M's "Four Cents a Word." . . . COBINA WRIGHT, JR. will get the feminine lead of 20th Century-Fox' "The Cowboy and the Blonde." . . . M-G-M has signed OGDEN NASH to work on the script of "Female of the Species," original by EDMUND HARTMAN.

• •

CHARLES QUIGLEY and MARJORIE REYNOLDS have been set as the leads for "Secret Evidence," to be produced by E. B. DERR for Producers Releasing Corp. The story is by EDWARD BENNETT, and the script by BRENDA KLINE. . . . Republic has signed VINCENT and LORETTA LEE, Boston radio team, for "Ridin' on a Rain-Bow," GENE AUTRY vehicle. . . . M-G-M has purchased "Gilded Lady," original by ROBERT ANDREWS and BARRY TRIVERS, for JOAN CRAWFORD.

Studio Pace Shows Gain; 43 Shooting

HOLLYWOOD, Dec. 9. — Forty-three pictures were in work this week, as three finished and nine started, a gain of six over the previous week. Fourteen are being prepared, and 65 are being edited.

The tally by studio:

Columbia

In Work: "Penny Serenade," "Blondie Goes Latin," "The Devil Commands."

Started: "Return of Boston Blackie."

Lesser-Lubitsch

In Work: "That Uncertain Feeling."

M-G-M

In Work: "The Ziegfeld Girl," "Men of Boys Town," "The Bad Man," "Fools Rush In."

Monogram

In Work: "You're Out of Luck."

Producers Releasing

Finished: "Billy the Kid's Range War."

Started: "Secret Evidence," "The Lone Rider Galloping to Victory."

Paramount

In Work: "I Wanted Wings," "The Lady Eve," "The Road to Zanzibar," "New York Town," "Border Vigilantes," "Las Vegas Nights."

Started: "It Happened to Me."

RKO

In Work: "They Met in Argentina," "Prodigy."

Started: "Scattergood Baines."

Republic

In Work: "Ridin' on a Rainbow."

Started: "Arkansaw Judge."

Roach

In Work: "Topper Returns."

20th Century-Fox

Finished: "Western Union."

In Work: "Tall, Dark and Handsome," "Murder Among Friends," "The Road to Rio," "Sleepers West," "Tobacco Road," "Uncensored," "The Outlaw."

Universal

In Work: "Back Street," "Nice Girl."

Started: "The Mysterious Dr. R," "Six Lessons from Madame La Zonga."

Warners

Finished: "Footsteps in the Dark."

In Work: "Strawberry Blonde," "Her Great Lie," "The Sea Wolf," "Knockout," "Stuff of Heroes," "Here Comes Happiness."

Started: "She Stayed Kissed."

Seven New Films Are Approved by Legion

The National Legion of Decency for the current week approved all the seven new pictures reviewed and classified, six for general patronage and one for adults. The new pictures and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Arizona," "Blackout," "Kit Carson," "Little Men," "Second Chorus," "Son of Monte Cristo." Class A-2, Unobjectionable for Adults—"Four Mothers."

Frawley Flu Victim

HOLLYWOOD, Dec. 9. — William Frawley, 55, film player, succumbed to influenza here today. He started his screen career in 1929.

No Shortage Of Films Seen Under Decree

(Continued from page 1)

with a backlog of 10 or more completed pictures for the start of the new system of selling.

For the current season, M-G-M sold a minimum of 44 pictures; Paramount, 44; 20th Century-Fox, 48; Warners, 48, and RKO, 39. All five studios are geared to make 52 to 60 features per season. The leeway, therefore, between the minimum deliveries and a convenient maximum can supply each of the five with two to six completed pictures by next Sept. 1, when the new selling system becomes operative. In addition, each of the five normally has four to 10 new season productions completed in advance of the season's start.

Will Have at Least One Block

Thus each of the five will have at least one block to offer at the outset of the new system and some of them may have two or three blocks to offer.

Sales officials believe the ideal situation with which to begin the new method would be with 15 completed pictures on hand for trade showings and selling by next July for bookings after Sept. 1. Selling will require much more time under the new system than it has heretofore, so sales heads are anxious to have 10 to 15 pictures ready as early as possible this summer in order to give the field forces time to venture cautiously into the new and arduous selling system.

6 to 12 Weeks' Intervals Seen

Individual companies are likely to space their block offerings six to 12 weeks apart, depending upon the number of pictures offered at a time, some sales executives believe. They point out that if only one block is offered at a time, each exchange will have eight to 10 selling jobs during the year, whereas if several blocks are offered at a time, and spaced accordingly, the task would be reduced to four or five separate sales efforts.

Observers believe that blocks are not likely to be offered simultaneously by two or more companies, although occasionally that may happen. Sales executives frankly concede that definite procedure has not been mapped out yet and that even basic decisions may not be made until the annual sales conventions are held next Spring.

Urges Fight to Bar Rise in Ticket Tax

COLUMBUS, Dec. 9.—P. J. Wood, secretary of the I.T.O. of Ohio, has asked exhibitors personally to contact their Senators and Representatives prior to the first of the year in an effort to combat the possibility of an increase in the Federal admission tax.

Cleveland city officials have recommended state legislation to permit municipalities to increase local taxes to meet relief funds, suggesting admission taxes among others. The Ohio Farm Bureau Federation has also passed a resolution favoring an increase in the admission impost. The General Assembly convenes Jan. 1.

Feature Reviews

"Trail of the Vigilantes"

(Universal)

HOLLYWOOD, Dec. 9.—Universal's "Trail of the Vigilantes" is a travesty on western films, but at the same time, it combines in a rare degree the comedy and action that western fans admire and the situations and the dialogue found to be appreciated by others. While "joshing" western films, as such, the story of "Trail of the Vigilantes" deals with an investigator from Kansas City venturing into the west before the turn of the century to find the leader of a gang of rustlers. He falls in with a bunch of rough and ready cowhands, discovers the criminal, and leads his friends into the climax, which is completed with the rustler's death.

Principal characters are played by Franchot Tone, Warren William, Broderick Crawford, Andy Devine, Mischa Auer, Porter Hall. Peggy Moran supplies the minor love interest, while Samuel S. Hinds, Charles Trowbridge, Paul Fix, Harry Cording and Max Wagner complete the cast.

Allan Dwan in his direction of the original screenplay by Harold Shumate let humor and movement have their sway, each complementing the other.

The preview audience at the RKO Hillstreet Theatre, a first run house in Los Angles, was especially enthusiastic throughout the film.

Running time, 75 minutes. "G."* VANCE KING

"It's in the Air"

(Basil Dean—B.S.B. Prod.)

George Formby is said to be the ace film comedian in England, both from the standpoint of ability and audience popularity. As he performs in this largely slapstick, entertaining comedy of the R.A.F. in England, it is easy to understand why that is so.

Formby, who is far superior to his support, combines a most unhandsome physiognomy with a wholly ingratiating type of performance, an ease with voice and ukelele in song which is compelling, and a serio-comic expression which makes understandable his ranking at the top of the comedy list.

Basil Dean produced the film in England, with Anthony Kimmins as director. Since it concerns the mishaps of a hapless but willing young man at an R.A.F. war base, it should be adaptable to timely selling. The film has Formby going through a routine of comedy tricks, some new, some very old, but all done with the skill of a fine comedian. The concluding sequence concerns a runaway war plane with Formby seated terror-stricken at controls about which he knows nothing.

Julien Mitchell, as the sergeant-major with whom Formby has most of his trouble, is the best of the supporting cast.

Running time, 74 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

Detroit Managers Union Seeks Pact

DETROIT, Dec. 9.—Negotiations for a contract between the newly organized Theatre Managers and Assistants Union and United Detroit Theatres will start this week, according to Clayton Bordner, counsel for the union.

The union, which has been in process of organization during the past year, will seek a contract for approximately 40 managers of the circuit. After this is obtained, the local plans to continue its camgaign to enlist other local circuits and eventually line up the independents.

Warners Renovate Two

NEW HAVEN, Dec. 9.—Warners will close both the State, South Manchester and the Rialto, South Norwalk, Conn., from Dec. 16 to Dec. 24 to complete renovation jobs.

Liuzzi Reelected By Phila. Musicians

PHILADELPHIA, Dec. 9.—Frank P. Liuzzi has been reelected president of the local musicians' union, winning over Charles McConnell, music contractor for the Warner theatres here, by 829 votes to 646.

Ralph Kirsch, mated with Liuzzi for vice-president, was defeated by Romeo Cella, on McConnell's ticket. A. Rex Riccardi was reelected secretary, winning over Lew Ingber. Harry Kammerer, also on McConnell's ticket, defeated Vincent Zurzulo for assistant secretary. Joseph Bossle was unopposed for treasurer and James Perri defeated George Hartung for sergeant-at-arms.

June Preisser Here

June Preisser, M-G-M player, arrived from the Coast over the weekend for a brief vacation.

Weekend Big; B'way Houses Near Capacity

(Continued from page 1)

secretary of the League of New York Theatres.

After a slow start Thursday, "The Thief of Bagdad" with a stage show started building and there was standing room only at the Radio City Music Hall during most of the weekend. The first four days grossed an estimated $58,000 and the film will be held over for a second week, with "No, No, Nanette" opening Dec. 19 and "Philadelphia Story" on Dec. 26.

$250,000 Seen for 'Police'

The fifth weekend of "North West Mounted Police" with Red Skelton, Ray Herbeck's band, Rosemary Lane and the Inkspots on the stage, was good for an estimated $18,000 at the Paramount. The fifth week which ends tonight should bring an estimated $35,000, or just a few hundred dollars short of $250,000 for the five-week run, Tomorrow, "Moon over Burma" will open with Henny Youngman substituting for Skelton on the stage but the remainder of the stage show will hold over.

Another big holdover draw was "Tin Pan Alley" with a stage show at the Roxy which grossed an estimated $25,800 for the first four days of the third week. "One Night in the Tropics" is scheduled to open there Thursday, but a decision to hold "Tin Pan Alley" for a fourth week may be made today.

'Dictator' $8,500 in Eighth Week

Among the two-a-day performances, "The Great Dictator" should end its eighth week at the Astor tonight with an estimated $8,500 while "Fantasia" should end its fourth week at the Broadway tomorrow with an estimated $27,500.

The addition of Humphrey Bogart to the stage show Friday at the Strand helped boost the take there and the first three days of the third week for "The Letter" was good for an estimated $21,500. Ozzie Nelson's band will continue on the stage for the full four weeks of the run.

"Trail of the Vigilantes" opened strong at the Rialto Friday and took an estimated $5,100 for the first three days. "Dark Streets of Cairo" drew an estimated $5,200 for the week before "Trail of the Vigilantes" opened.

The third week of "Seven Sinners" at the Rivoli drew an estimated $10,500 and it was followed Saturday by "Little Men." At the Globe, "Blackout" drew an estimated $7,000 for its first week and it was held over.

In Phila. for A.G.V.A.

PHILADELPHIA, Dec. 9.—Jack W. Miller, a national representative of American Guild of Variety Artists, has been sent here to take over the organization's affairs, with the union's ranks split here with the revival of the independent United Entertainers Association by Tom Kelly, recently ousted as executive secretary of the local chapter in favor of Lee Travers.



WE SNEAKED A LOOK... AND WHAT A CHRISTMAS PACKAGE YOU'VE GOT IN

"CHAD HANNA"!

IN TECHNICOLOR!
The Story of "Red Wheels Rolling"
by WALTER D. EDMONDS

HENRY FONDA · DOROTHY LAMOUR · LINDA DARNELL

featuring
GUY KIBBEE · JANE DARWELL
JOHN CARRADINE · TED NORTH
ROSCOE ATES · BEN CARTER

Directed by HENRY KING
Associate Producer and Screen Play by Nunnally Johnson



And this big holiday show is tagged with 20th showmanship! Listen in Friday, Dec. 13, 8 to 9 P. M., EST... Henry Fonda and Linda Darnell starring on the Kate Smith Hour over CBS stations from coast-to-coast!

Cheer for Shut-ins

Des Moines, Dec. 9.—The sixth annual Christmas party for Des Moines shut-ins sponsored by theatre men and exchanges of Des Moines is to be held on Saturday at Tri-States Paramount Theatre. Approximately 1,600 invitations have been issued to childrens' homes, homes for the aged, crippled children and the Polk County farm home. Nate Sandler, local theatre man; Lou Levy, New Universal manager, and G. Ralph Branton of Tri-States are active in promoting the party.

Draft N. Y. Bill to Legalize Lottery

ALBANY, Dec. 9.—An amendment to the New York State constitution to provide for legalization of state-operated lotteries was drafted here over the weekend by State Senator Phelps, New York Democrat, MOTION PICTURE DAILY has learned.

The amendment will be introduced when the legislature convenes in January, with brighter chances of passage due to the high revenue received by the state in its first year of parimutuel operations.

As drawn by Senator Phelps, the amendment must be passed by two successive legislatures and then submitted to the people, as was the parimutuel bill. In contrast to former lottery bills, the Phelps proposal would let the state operate the lotteries with the money going into the general treasury to obviate need of further taxation.

Senator Phelps, the only radio commentator in the state legislature, also drew up a resolution with which he will seek to have the legislature memoralize Congress to authorize a national lottery. During the 1939 session, Senator Phelps forced a vote in the Senate on another lottery bill, which was defeated 32-13.

Bill Would Legalize Pennsylvania Games

HARRISBURG, Pa., Dec. 9. — State Senator John J. Haluska, Democratic from Cambria County, has completed drafts of bills for a state "Townsend Plan" that would legalize gambling, including games in motion picture theatres. The Senator said the measure would be introduced at the next session, opening Jan. 7, and would give Pennsylvanians 60 or over an assured income of $60 a month, financed by legalizing and taxing gambling.

Club Names Onie

CINCINNATI, Dec. 9.—When John S. Allen, local M-G-M salesman, goes to Washington to become the company's branch manager there, he will be succeeded as chief barker of the Variety Club here by William Onie, Monogram manager, who now is first assistant chief barker. William Koegel will advance from second to first assistant, and a new second assistant will be elected.

Canada May Use Screen, Radio to Promote Travel

By PAT DONOVAN

MONTREAL, Dec. 9.—The use of radio and films in publicizing travel to Canada from the United States is under consideration at Ottawa following the recent conference there between Federal and provincial tourist officials and transportation men.

One definite scheme is a radio program which would be carried on the national network of Canadian Broadcasting Corp. and which would star some big film name.

Ned Sparks is hinted as a possible selection. It is said the idea originated with him and that he communicated the suggestion to Leo Dolan, Chief of the Canadian Travel Bureau. Born in St. Thomas, Ont., Sparks would fit into the demand for "Canadian talent" on such an air show.

The program, if it materializes, probably would be of the variety brand and would be piped through to an American network, probably Mutual. Into the entertainment would be worked publicity material for various holiday centers in all Canadian provinces.

The Government's Advisory Committee on Tourist and Travel Industry, which met with the provincial men at Ottawa, has asked Major Gladstone Murray, general manager of the CBS to provide recommendations on the type of program, the cost, time available and other points.

The tourist men also have asked that the Canadian Travel Bureau devote a portion of its appropriation to the production of at least one good travel film in color with sound.

Writers Approval of Credits Plan Is Seen

HOLLYWOOD, Dec. 9.—Screen Writers Guild members at a meeting Wednesday night are expected to approve a compromise plan for screen credits adjudication to become effective at the expiration of the present bargaining agreement with the producers in April.

Attorneys for the producers and the Guild have been conferring on the alternative plan, the Guild having warned its members not to sign contracts calling for the producers to be the sole judge of credits when the present agreement expires.

The studios have been asking the writers to sign contracts with a codicil which provides that producers settle screen credit disputes after April 10, and the Guild has been resisting.

'Dulcy' and Garber Hit $13,600 in Omaha

OMAHA, Dec. 9.—"Dulcy," at the Orpheum with a stage show headed by Jan Garber and his orchestra, grossed a strong $13,600. "The Letter" on a dual at the Brandeis, took $5,400. The weather was clear and cold.

Estimated takings for the week ending Dec. 4-5:

"The Letter" (W. B.)
"Mexican Spitfire Out West" (RKO)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $5,400. (Average, $4,000)
"North West Mounted Police" (Para.)
OMAHA—(2,000) (35c-40c-55c) 7 days, 2nd week. Gross: $6,700. (Average, $6,000)
"Dulcy" (M-G-M)
ORPHEUM — (3,000) (40c-55c) 7 days. Stage: Jan Garber orchestra and Billy Gilbert. Gross: $13,600. (Average, $7,200)

W. B. Revenue Up 50%, Meeting Told

(Continued from page 1)

annual meeting today, told the shareholders.

[Gross income for the first quarter of 1939 was $24,741,166 after eliminating intercompany transactions. Net profit was $642,129.]

Four directors were reelected and one new one elected at the meeting which was held at the Corporation Trust Co. offices. Reelected were: Samuel Carlisle, Stanleigh P. Friedman, Charles S. Guggenheimer and Morris Wolf. Joseph H. Hazen is the new director. All will serve for two years.

Milton R. Weinberger, a New York stockholder, questioned the board on deferement of preferred stock dividends. Robert W. Perkins, secretary and general counsel, stated the deferment was due to the uncertain foreign market. Weinberger suggested retrenchment in salaries and fees paid directors and officers, pointing out the $1,100,000 paid them last year represented a large portion of the company revenue. Harold S. Bareford, assistant secretary, stated the company had always been the first to retrench when necessary. Steel presided in the absence of Hugh M. Morris.

Officers of the company attending the meeting included: Bareford, Perkins, T. J. Martin, auditor; Edward K. Hessberg, assistant secretary, and W. Stewart McDonald, assistant treasurer.

'Escape' Strong in Baltimore at $15,000

BALTIMORE, Dec. 9. — "Escape" at Loew's Century led grosses with $15,000. "Tin Pan Alley" tallied $9,500 in the second week at the New.

Estimated takings for the week ending Dec. 4:

"Escape" (M-G-M)
CENTURY—(3,000) (15c-28c-44c) 7 days. Gross: $15,000. (Average, $10,000)
"Rangers of Fortune" (Para.)
KEITH'S (2,406) (15c-28c-33c-44c) 7 days. Gross: $9,000. (Average, $9,000)
"Tin Pan Alley" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $9,500. (Average, $7,000)
"The Letter" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $12,000. (Average, $12,000)
"Escape to Glory" (Col.)
HIPPODROME — (2,205) (15c-28c-39c-44c-55c-66c) 7 days. "Melody Hit Parade" featuring Five Songwriters, stage show. Gross: $13,000. (Average, $14,000)

Hold Mrs. Ennis Rites

Funeral services were held at St. Edmund's Church, Brooklyn, yesterday for Mrs. Emma I. Ellis, 79, mother of Bert Ennis, publicist in the industry for many years. She died on Saturday. Burial was at the Holy Cross Cemetery. Two other sons, Leslie and Harry, and a sister, Mrs. Richard Tobin, also survive.

Theatre Changes

Sells After 23 Years

AKRON, Ind., Dec. 9.—Karl B. Gast has sold the Madrid here to Mark Gates of Indianapolis, who takes possession Jan. 1. Gast, Akron postmaster, opened the Madrid 23 years ago.

Loew Assistants Shifted

INDIANAPOLIS, Dec. 9. — James Dixon, who has been assistant manager of the Century in Baltimore, is here as assistant manager of Loew's. He succeeds Joseph P. Holleran, who goes to Kansas City as assistant manager of Loew's there.

Frisco Liberty Reopened

SAN FRANCISCO, Dec. 9.—After being closed for two months, the Liberty Theatre has reopened with films and stage shows.

Malco Renews with Altec

Malco Theatres of Little Rock has renewed its Altec service contract covering 57 theatres in Arkansas, Mississippi, Kentucky and Tennessee.

Takes Over Kansas House

KANSAS CITY, Dec. 9.—C. E. McKimson has taken over the Princess Theatre at Scandia, Kan., from R. E. Cooper, and has reopened it. The house has been redecorated.

Plans Indiana House

LAGRANGE, Ind., Dec. 9. — Mrs. Florence Wigton, who operates the Wigton here, plans to begin construction of a new 400-seat house here in January.

Remodel 2 in Philadelphia

PHILDELPHIA, Dec. 9.—Two more neighborhood houses have arranged for renovation programs after the first of the year, Warners' Plaza and the independent Hill.

Manages Suburban House

PHILADELPHIA, Dec. 9.—Joseph A. Murphy, for the past 13 years manager of houses for Warners in the Philadelphia area, and its predecessor, the Stanley Co., has been appointed manager of Henry Friedman's Lansdowne, in suburban Philadelphia.

Plans Pennsylvania House

NUREMBURG, Pa., Dec. 9.—P. A. Maguzzi, owner of a circuit of theatres in Pennsylvania, is remodeling a building here to open a new theatre shortly. He also is remodeling his theatre at Coplay, Pa.

Remodel Missouri House

KENNETT, Mo., Dec. 9.—Approximately $5,000 is being spent on the Ritz Theatre here by E. B. Vandiver and Earl Vandiver, who operate the house. The Vandivers are installing a new floor, redecorating the walls, putting in new upholstered seats, and other equipment.

Open Arkansas Theatre

BATESVILLE, Ark., Dec. 9.—Commonwealth Amusement Corp., Kansas City, has opened the new Melba Theatre here. The house cost $50,000.

Commuter Service

San Francisco, Dec. 9

A COMPLETE Eastbay theatre guide, listing film houses in Oakland, Alameda, Berkeley, Albany, and El Cerrito, is being carried by* The Chronicle *in its early editions for the convenience of commuters who return home via bridge and ferries.

General Electric to Move Coast Station

WASHINGTON, Dec. 9.—General Electric Co., San Francisco, has asked the Federal Communications Commission to approve plans to move Station KGEI from its World's Fair location near Treasure Island to the vicinity of Belmont, Cal.

The application was one of a number received by the commission, another being the request of the West Allis Broadcasting Co. for a construction permit for a new 1,450-kilocycle, 250-watt daytime station at West Allis, Wis.

Pittsburgh Radio Supply House, Pittsburgh, submitted an application for an FM station to operate on 43,900 kilocycles to cover 11,488 square miles with a population of 3,473,432, and Stations WMIN, St. Paul, Minn., requested a change of frequency from 1,370 to 630 kilocycles, increase of power from 250 to 5,000 watts and authority to move transmitter from St. Paul to Bloomington, Minn. KNOW, Austin, Tex., asked for a change of frequency from 1,500 to 740 kilocycles, increase of power from 250 to 10,000 watts and removal of transmitter from Austin to Pflugerville, Tex.

Corwin of CBS to Do Script for RKO

Norman Corwin, CBS director and writer, is en route to Hollywood to complete a film script for RKO. This is the second RKO script on which he has recently been engaged. He plans to be back here late this month to do a radio show and then will return to the Coast for several weeks. Before leaving, Corwin completed for CBS an album of six recordings of non-dramatic readings to be used in schools and colleges under the auspices of the National Council of Teachers of English.

S. F. School to Build FM Training Station

SAN FRANCISCO, Dec. 9.—Expenditure of $31,000 for construction of an FM station, recently authorized by the FCC, has been approved by the Board of Education here. Operated by the Samuel Gompers Trade School, the station will be used to train radio operators, at the suggestion of the U. S. Army Signal Corps.

Salesmen Transferred

SEATTLE, Dec. 9.—Dwight Spracher, salesman for the local Paramount exchange, is being advanced to a selling assignment at the San Francisco branch. He will be succeeded here by Glen Haviland, who in turn will be replaced in the Eastern Washington area by Ward Pennington, formerly of San Francisco.

Off the Antenna

THE first contract for sponsorship of time on an FM station was signed yesterday by the Longine-Wittenauer Co., Euguene S. Thomas, WOR sales manager disclosed. The contract, which will become effective Jan. 1, when all FM stations are permitted to go on a commercial basis, calls for night time signals for a period of one year over W2XOR.

In accordance with requests from proponents of FM, the FCC has modified the form of applications for FM stations. Although the information requested remains substantially the same, the FCC has simplified the procedure. The new forms should be ready within a few days, it was said.

• • •

Purely Personal: *Adela Rogers St. John is adapting three of her current novels for radio. . . . Nick and Charles Kenny have renewed their exclusive song writing contracts with "The Big Three" music publishing group. . . . Wythe Williams, Mutual commentator, will discuss the European situation before the National Association of Manufacturers convention here Friday. . . . Betty Jane Tyler,* 11*-year old actress will be heard on "We, the Abbotts" over CBS tomorrow at* 4:15 *P.M. . . . Barry Wood has started making his first recordings for Victor. . . . Paul Whiteman, who returned from a Texas vacation last week, has started assembling a new band. He plans to emphasize the string section. . . . Robert Henderson, formerly with CBS in Toronto, has joined the CKLW, Windsor-Detroit, engineering staff.*

• • •

For the second time during the war, NBC headquarters in London were hit by German bombs Sunday. Fred Bates, London correspondent, suffered slight injuries but was discharged from the Middelsex Hospital yesterday, NBC offices here were advised.

• • •

KMOX, St. Louis, has arranged a tieup with Fanchon & Marco theatres there for a daily search for amateur talent. The amateurs are heard daily over KMOX and winners are rewarded with a week's engagement at the F. & M. Fox.

• • •

Program News: *NBC disclosed three renewals yesterday. Standard Brands has renewed the Edgar Bergen-Charlie McCarthy show and "One Man's Family" for* 52 *weeks, effective Sunday Jan.* 5, *over* 65 *NBC-Red stations; Sealtest, Inc., has renewed the Rudy Vallee show for* 52 *weeks effective Thursday, Jan.* 2 *over* 58 *NBC-Red stations, and the Better Speech Institute of America has renewed, for* 13 *weeks, "Speak Up America" over* 49 *NBC-Blue stations effective Sunday, Dec.* 29. . . . *"Your Hit Parade" will be altered somewhat next month when the CBS show includes as part of its hour entertainment from Army camps. Jerry Lester will act as master of ceremonies, and Gloria Vestoff, Dean Janis, Galli-Galli and a different name band each week will make up the cast. Ted Long will produce the Army part of the show. . . . P. Lorrillard will produce an audience participation show on seven CBS Pacific stations beginning Wednesday, Jan.* 8. *It will be called either "Talk Your Way Out of This One" or "Don't Be Personal." . . . Camel cigarettes will switch to Latin American music Thursday, Jan.* 9, *over NBC-Red when Xavier Cugat's orchestra will take over the spot now held by Bob Crosby. . . . Zeke Manners will celebrate his* 10*th anniversary on the air Friday with a special broadcast over WMCA at* 11 *P.M.*

• • •

WLWO, the Crosley short wave outlet in Cincinnati, is seeking persons having friends or relatives in Latin America who would like to send greetings on Christmas Day. The program is intended as a goodwill gesture.

• • •

Because of the volume of national defense orders, NBC yesterday announced the opening of a fourth office of the radio recording division. E. W. Young, who formerly handled Washington business from New York, will be transferred as manager of the new office. Headquarters will be in the Trans-Lux Building.

Seek New Complaint In Brokerage Suit

Application was made yesterday in N. Y. Supreme Court by seven ticket brokers for leave to amend their complaint which attacked the legality of the New York law limiting ticket brokerage fees to 75 cents. The brokers seek to limit the complaint to the sole issue of the constitutionality of the law, claiming that they will request a final decision on that point from the Appellate courts. The Appellate Division of the N. Y. Supreme Court has already ruled the law constitutional.

Union Election Sunday

NEW HAVEN, Dec. 9.—Local 74 of the stage employes union postponed its annual election once more to next Sunday. Members also will vote on final renewal terms of contracts with Loew's, Inc. and Shuberts.

Sued Over Program

The Chilean Nitrate Educational Bureau, Inc., yesterday filed suit in N. Y. Supreme Court against Grombach Productions, Inc., seeking to restrain the defendant from claiming ownership to a radio program called "Uncle Natchel." The plaintiff claims to have a contract with Trans-American Broadcasting for airing the program over 18 stations.

Sues On Program Idea

Suit for $13,000 damages against Music Corp. of America was filed yesterday in N. Y. Supreme Court by James Lyons for compensation allegedly due for a radio program idea. The plaintiff contends the defendant adapted and used his idea for a mock trial over WABC and a national hookup between April 10 and July 3, 1940.

BMI Adds New List of 20,000 Song Numbers

(*Continued from page* 1)

G. Paine, Ascap general manager, declared yesterday. Under their contract with Ascap, writers assign the small rights in past as well as future compositions.

In reply, Julian T. Abeles, Marks' attorney, declared that 70 per cent of the catalogue had been written by non-Ascap members and that 20 per cent had been written by Ascap members before they joined the society. Both Abeles and BMI officials expressed the opinion that music or lyrics written before joining Ascap belonged to the publisher and could be performed. Included among these are many by the most prominent Ascap members, including, according to Abeles, several by Gene Buck, Ascap president.

As the fight between the broadcasters and Ascap neared the Jan. 1 deadline, 10 additional stations joined BMI, bringing the total number of affiliates to 452, a substantial majority of the nation's 800-odd stations.

Ascap officials referred to the titles in the Marks and Southern catalogues as "mostly foreign" titles. They pointed out, too, that Ascap has agreements with many Latin-American and other foreign performing rights societies and that BMI could not use them without an Ascap license. In response, BMI officials said that several direct agreements with foreign societies had been made and that others were on the way.

FCC Not Requested to Mediate Ascap-Nets Fight

WASHINGTON, Dec. 9.—The FCC today advised Frank Hummert, Chicago advertising agency executive, that it had not been requested to mediate the Ascap-networks dispute by either side and suggested that Hummert make his proposals for mediation direct to those involved. For more than a month Hummert has been seeking to have the FCC take a hand in the situation.

Neb. Anti-Ascap Law Goes to High Court

(*Continued from page* 1)

fore nullifying the entire statute.

The case was brought to Washington by the state only on allegations that the lower court erred in overruling the motion to dismiss.

The Nebraska suit is one of three pending before the court to which Ascap is a party, cross-appeals from a decision on the Florida anti-Ascap law having been filed last week by the state and the society.

Ask Quiz of Buck

Examination of Gene Buck as president of Ascap before the framing of a complaint was asked yesterday in the N. Y. Supreme Court by Maud Lambert Ball. The plaintiff, widow of Ernest R. Ball, a song writer, seeks to recover royalties on 276 songs which Ball had written.



COMPETITIONS

PERHAPS when the annals of this mad era are on some remote day finally set down in their place in the perspective of Time, it will be known as the Age of Showmanship, a period when all that was accomplished with the multitudes was done with the tools of entertainment, "names" and emotional appeal, supplanting quite the processes of intellect and methods of reason.

Show devices have escaped from the theatre, and now they are all over town, at every night-spotted cross-road, strewn across the nation. So now, more than ever it is the problem of the motion picture showman to increasingly institutionalize his theatre, to make it a place to go, integrated with and built into his community. What the exhibitor is able to put into his theatre on his own cannot be cancelled out or sold away; nor can it be put on the air in competition with him. Now that "all the world's a stage", indeed, the job for the box office is more explicit.

From Motion Picture Herald Nov. 9th

This Calls For ADVERTISING, ADVERTISING, and More ADVERTISING

Read this clipping. Its meaning is plain . . . potent . . . TRUE!

Competition outside your business *IS* keen . . . and growing keener. Men with ideas and money to spend developing those ideas are sitting up nights trying to charm your customers away.

You've got to make movie-going a habit again.

This calls for advertising . . . *advertising* and *more* advertising.

Dress up your theatre . . . brighten up your lobby . . . institutionalize. Sell your local drawing population this *big idea:* THE BEST PLACE TO SPEND AN EVENING or A MATINEE IS YOUR THEATRE . . . from an entertainment standpoint . . . from any standpoint.

And there is no better place to get that full-dress advertising you need than the place where advertising is a business . . . an art . . . a profession . . . a life-work . . . where you can RENT everything you need to sell your pictures and your theatre . . . Trailers . . . Lobby Displays . . . Standard Accessories.

NATIONAL Screen SERVICE • NATIONAL Screen ACCESSORIES

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 114 NEW YORK, U. S. A., WEDNESDAY, DECEMBER 11, 1940 TEN CENTS

FILE COPY DO NOT REMOVE

U. S. Court Will Approve B. & K. Peace

Will Clear Balaban, Fine Paramount and B. & K.

CHICAGO, Dec. 10. — Recommendations of Special Master Edgar Eldredge that charges of violation of the 1932 Balaban & Katz consent decree be dismissed against Barney Balaban, Paramount president, and fines aggregating $10,000 be imposed on Paramount, B. & K. and subsidiaries, will be followed by the Federal District court here, it was indicated today by Federal Judge Charles E. Woodward, who directed that an order be prepared for his signing.

Department of Justice attorneys and counsel for the defendants appeared before Judge Woodward today and agreed to the dismissal of the Government's action, based on the charges of decree violation, in accordance with Special Master Eldredge's recommendations.

Six major distributors named in the Government's original action were

(*Continued on page 6*)

O'Shea Luncheon To Be Held Dec. 19

A testimonial luncheon to E. K. O'Shea, newly appointed Central division manager for M-G-M, and John J. Bowen, who succeeds O'Shea as Eastern district manager, will be held at the Hotel Astor Dec. 19.

The committee on arrangements, headed by Harry Brandt, met to complete plans at the Astor yesterday. Tickets are $5 each, and are obtainable from Joe Lee at the 20th Century-

(*Continued on page 6*)

George Brown Named Para. Studio Ad Head

HOLLYWOOD, Dec. 10. — Paramount today appointed George Brown director of studio publicity, replacing Cliff Lewis, effective immediately. Lewis had worked for the studio 18 years. Blake McVeigh, formerly assistant publicity director at the Warner studio, will be Brown's assistant in charge of press relations.

Brown, who last week announced he had joined the Screen Directors

(*Continued on page 6*)

'Wings' Off Release; Para. May Roadshow

"I Wanted Wings," Paramount aviation film co-starring Ray Milland, Williams Holden, Wayne Morris and Brian Donlevy, has been withdrawn from release, Neil F. Agnew, vice-president in charge of distribution, said yesterday. The picture, which was scheduled for national release March 21, 1941, may be roadshown or pre-released at advanced admissions, according to report.

Effects of Decree Will Be Discussed At Exhibitor Meets

Effects of the consent decree on theatre operations will be discussed at a series of exhibitor conventions during the next month.

First of the meetings will be held Monday at Oklahoma City by the Oklahoma Theatre Owners Association, and will be followed on Tuesday by a convention of the Kansas-Missouri Theatre Association, at Kansas City. Ed Kuykendall, M.P.T.O.A. president, is scheduled to address both meetings.

On Jan. 10, the United Theatre Owners of Illinois, downstate independent organization, will meet at Springfield, and on Jan. 14 the Allied Theatre Owners of Eastern Pennsylvania will meet at Philadelphia.

The exhibitors are concerned with the local operations of the arbitration machinery and will discuss this phase of the decree as well as the new selling system.

DECREE MAY END U.S. ASCAP ACTION

Settlement of Six-Year-Old Anti-Trust Suit Is Hinted by U. S. Department of Justice; Would Aid Settlement With Nets

By BERTRAM F. LINZ

WASHINGTON, Dec. 10.—Possibility of a consent decree settlement of the Government's six-year-old anti-trust suit against Ascap in the near future was hinted today at the Department of Justice, but officials refused to disclose the extent to which negotiations have progressed or the lines upon which settlement has been suggested.

Such a conclusion of the music case, which several times has become dormant and been revived later, would dispose of much of the controversy between Ascap and radio networks, it was said, since the Government suit involves issues similar to those raised by the radio industry in rejecting Ascap's proposed terms for the coming year.

No Comment from Ascap

Ascap officials and counsel for the society, Schwartz & Frohlich, said they knew nothing about any move to settle the Government anti-trust suit against Ascap, either by a consent decree or any other means.

"Under the circumstances, there is no comment we can make," said Herman Finkelstein of Ascap counsel.

See Music Talks Futile

Fred Waring, chairman of the Orchestra Leaders Committee, told a meeting of band leaders and their managers yesterday that continuation of the committee's "efforts to bring the Ascap and the radio broadcasters together would be futile, since it seems obvious that the spokesman for the N.A.B. has definitely determined to prevent such a meeting taking place."

Neville Miller, president of the N.A.B., replied that Waring has "misunderstood the issues."

Meanwhile, moving the deadline forward one week, NBC yesterday advised all sponsors that no Ascap music will be approved for commercial programs after Dec. 23. Other networks still adhere to the Dec. 31 deadline. Although other networks have ordered all Ascap music off the sustaining shows, the NBC order for non-

(*Continued on page 8*)

Lift Canadian Barrier to Entry Of Newsreel Units from America

Toronto, Dec. 10.—Canadian Customs regulations which have made it practically impossible for newsreel units of the United States to enter the Dominion because of the prohibitory duty against sound trucks, whether for temporary use on Canadian soil or not, have been waived, it is understood from an authoritative source. The change in policy is due to the war and also to the establishment of the National Film Board with John Grierson as Film Commissioner.

For years the full duty was required on any sound truck which entered Canada from the States for the making of news shots and no refund was granted when the truck returned to the country of origin. The result was that the trucks kept out of Canada. The only exception was in the case of the Royal Visit last year when the Canadian Government permitted many newsreel crews into the country to make pictures of the King and Queen across the Dominion under a pooling arrangement.

Report Copyright Violations Drop 2%

A two per cent decline in copyright violations by exhibitors during 1940 as compared with the previous year is cited by the Copyright Protection Bureau in its annual report, according to Jack H. Levin, director of the bureau.

The report states that violations were found in 26 per cent of the theatres in 32 states investigated upon exhibitor or distributor complaints, compared with 28 per cent in similar investigations made last year.

The "holdover" type of violation was seven times less numerous than the bicycling type in investigations originated on complaints, the report stated, but was six times greater than bicycling in "blind" or routine investigations not involving complaints to the bureau.

Investigations of stolen, duped and bootleg prints became a regular de-

(*Continued on page 6*)

Grierson Resigns Canada Film Post

Toronto, Dec. 10. — John Grierson of London has resigned as Dominion Film Commissioner, and his resignation has been accepted by the Government effective in February. His successor will be announced in January. Grierson, a British documentary film producer, became commissioner 15 months ago after formation of the National Film Board based on his recommendation.

W. B. Employes Give $5,700 to War Funds

A check for $5,700 was presented yesterday to the British War Relief Society on behalf of employes of Warner Bros. and affiliated companies. The money will be used to purchase two large motor kitchen units and 30 hospital bed equipments. In addition, about $500 will be given to the Greek Relief Fund. Women employes are knitting 500 garments for the war sufferers.

Set Himmelein Rites

SANDUSKY, O., Dec. 10.—Funeral services will be held here Thursday for Arthur C. Himmelein, 54, who died Sunday in Altoona, Pa., where he was manager of Altoona-Publix Theatres. He was one of Ohio's pioneer exhibitors, opening the Market Square in Cleveland in 1912.

Personal Mention

A. W. SMITH, Jr., RKO general sales manager, returns today after a visit at the studio and western exchanges.

•

H. M. RICHEY, assistant to WILLIAM F. RODGERS, M-G-M general sales manager, will leave for Chicago and the Midwest Saturday to attend exhibitor meetings.

•

HARRY COHEN, RKO branch manager in Los Angeles, is here for home office conferences.

•

JOSEPH BERNHARD, general manager of Warner Theatres, is expected to return from Cleveland tomorrow.

•

RUBE JACKTER, Columbia assistant sales manager, will celebrate a birthday tomorrow.

•

WALTER BRANSON, Midwestern district manager for RKO, has returned to his Chicago headquarters after a New York visit.

•

EDGAR KERNER, Columbia manager in the British West Indies, is here for home office conferences.

•

THEODORE HAYES, director of public relations for Minnesota Amusement Co., Minneapolis, has left for Florida to complete recuperation from a long illness.

•

LOUIS ASTOR, in charge of circuit sales for Columbia, will attend the Philadelphia Variety Club banquet tomorrow night.

JOHN NOLAN, film buyer for the Comerford Circuit, and MRS. NOLAN recently celebrated their 20th wedding anniversary.

•

J. ROBERT RUBIN, HARRY THOMAS, ARTHUR MAYER, ARTHUR LOEW, LUTHER ADLER, WILLIAM MELNIKER, CHARLES SONIN, FRED THOMPSON and ROBERT MILTON lunching yesterday at Sardi's.

•

IRVING BERLIN, ARTHUR GOTTLIEB and JACK GOETZ at Lindy's (51st St.) for lunch yesterday.

•

MAURICE SILVERSTONE, CHARLES E. MCCARTHY, SAM SPRING, JACK MILLS, JACK HOFFBERG, ED SCHWARTZ and MAURICE BERGMAN lunching yesterday at the Tavern.

•

MONROE GREENTHAL, AL MARGOLIES and ARCHE MAYER having lunch yesterday at Lindy's (next to the Rivoli).

•

JAMES R. GRAINGER, OWEN DAVIS, MAX DREYFUS, HARRY KAUFMAN and JOHN W. HICKS at Nick's Hunting Room in the Astor for lunch yesterday.

•

TERRY TURNER, head of RKO's field exploitation staff, is in Philadelphia.

•

MRS. CHRISTOPHER CAREY, wife of the assistant manager at Warners' Karlton, Philadelphia, gave birth to a daughter late last week. She has been named Patricia.

Newsreel Parade

THE devastation in Coventry, England, victim of a Nazi air raid, is seen for the first time in the new issues. Highlighting the general news are President Roosevelt's "good neighbor" gesture in assigning an army bomber to carry home the wife of the Chilean ex-president and the professional football game in which the Chicago Bears amassed 73 points against the scoreless Washington Redskins. The contents:

MOVIETONE NEWS, No. 27—Havoc in Coventry. War in Africa. Plane crash in Chicago. Vice-President Wallace visits Mexico. "Santa Claus" in Miami. Youth pageant in Australia. Smallest bi-plane tested. Bears-Redskins football.

NEWS OF THE DAY, No. 225—Coventry in ruins. Marriages in London. Americans in Canadian air force. Walker urges early mailing. Army plane carries home wife of Chilean ex-president. Bears-Redskins football playoff.

PARAMOUNT NEWS, No. 30—Ambulances for Greece blessed here. Walker urges cooperation in early mailing. "Santa Claus" rehearses in Florida and California. Films of Coventry ruins. Bears-Redskins professional football.

RKO PATHE NEWS, No. 30—Destruction in Coventry. Anthony Eden with troops in Egypt. Army plane used as ambulance for wife of Chile's ex-president. American fliers join Canadian force. Test new cars for the army. Bears-Redskins football.

UNIVERSAL NEWSREEL, No. 935—Devastation in Coventry. Americans join Canadian air force. Plane crash in Chicago. Wife of Chile's former president returns home on army bomber. Wallace in Mexico. Ambulances for Greece blessed here. Launch ship in Baltimore for African route. Air show in New Orleans. "Santa Claus" in Palm Springs. Chicago-Bears football game.

Howard on Air from England for 'Wind'

Leslie Howard will broadcast over NBC from London tomorrow morning, thereby opening a day of festivities in Atlanta for the "anniversary premiere" at Loew's Grand of "Gone With the Wind," in which he plays. The showing will be preceded by a "birthday party" on the stage in which Vivien Leigh, Laurence Olivier and Alfred Hitchcock, director, will take part, with Clark Howell, publisher of the Atlanta *Constitution*, as master of ceremonies. The scene will be filmed with Hitchcock directing.

'U' Executives Go to Coast This Weekend

J. Cheever Cowdin, Universal board chairman; W. A. Scully, vice-president and general sales manager, and Joseph H. Seidelman, vice-president and foreign manager, will leave for the Coast this weekend to participate in the company's annual production conferences. Nate J. Blumberg, Universal president, is already at the studio for the conferences, which are scheduled to last a week or 10 days.

'Fantasia' to Open in Philadelphia Jan. 15

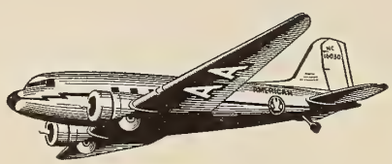
PHILADELPHIA, Dec. 10. — "Fantasia" has been scheduled to open here on Jan. 15, although the theatre has not been selected as yet. Richard Condon of the Disney staff is here looking over available houses. It has been decided, it is understood, to use a legitimate theatre seating between 1,000 and 1,500. Under consideration are the Erlanger, Locust and Walnut.

Balaban Buys Song At British Aid Dinner

The signed manuscript of "My Country, 'Tis of Thee" was purchased for $1,500 by Barney Balaban, Paramount president, at the auction dinner for the war relief fund of the American Red Cross for aid to Great Britain, which was held at the Hotel Plaza, Monday night. A similar dinner was held last night.

Fonda Due Here Today

Henry Fonda arrives via American Airlines from the Coast today.



CALIFORNIA

American's Southern Sunshine Route

5 FLAGSHIPS DAILY COAST-TO-COAST

★ It's only an overnight skysleeper trip to Los Angeles via American's Famous Sunshine Route! Delicious meals aloft. Stewardess service. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: Rockefeller Center, 18 W. 49th St.; Grand Central, 45 Vanderbilt Ave.

CONVENIENT DEPARTURES

The Sun Country Special 6:45 am
The Plainsman . . . 4:10 pm
The Mercury (Two Sections) 4:45 & 5:10 pm
The Southerner . . . 10:35 pm

AMERICAN AIRLINES Inc.

ROUTE OF THE FLAGSHIPS

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

New York Group Off To Santa Fe Today

Approximately 40 newspapermen, radio commentators and Warner executives will leave here today to attend the three-theatre world premiere of Warners' "Santa Fe Trail" in Santa Fe, N. M., Saturday evening. The group will be headed by Mort Blumenstock, Eastern advertising and publicity head.

The New York group will be joined in Chicago by Midwestern newspapermen. The train is scheduled to arrive in Santa Fe on Friday afternoon.

The Eastern group will include: Doris Arden, Chicago *Herald Examiner;* Louis Alwell, I.N.S.; James C. Austin, U.P.; Howard Barnes and Lucius Beebe, N. Y. *Herald Tribune;* Cliff Buechel, manager, Mary Anderson Theatre, Louisville; Mrs. Douglas Churchill and Kyle Crichton, *Collier's;* John Cutter, U.P.; Chicago; Ivan Dmitri, Frank Farrell, N. Y. *World-Telegram;* Abel Green, *Variety;* Nate Gross, Chicago *Herald Examiner;* Mr. and Mrs. Sid L. Hydeman, *Redbook;* Jack Lait, N. Y. *Mirror;* Mr. and Mrs. Boyd Martin, Louisville *Courier Journal;* Harry Martin, Memphis *Commercial Appeal;* Mary Mason, NBC.

John McManus, *PM;* Lionel Moise, King Features; Lee Mortimer, N. Y. *Mirror;* Mrs. Barney Oldfield, Lincoln, Neb.; Lucia Perrigo, Chicago *American;* Merle Potter, Minneapolis *Times-Tribune;* Terry Ramsaye, *Motion Picture Herald;* Monroe Rubinger, Ardis Smith, Buffalo *Evening News;* Louis Sobol, *Journal American;* Louis Stevenson, Bell Syndicate; Ed Sullivan; M. R. Werner, *New Yorker* and Prunella Wood, King Features.

From the Warner home office, in addition to Blumenstock, will be: Mitchell Rawson, Ralph Budd, Gilbert Golden and Sid Rechetnik.

Marian Siegel, high school pupil of Irwin, Pa., has been named winner of a recent "Santa Fe Trail" contest. Her prize will be a trip to the premiere.

Guilds Name Awards Committee Members

HOLLYWOOD, Dec. 10.—The Screen Actors, Directors and Writers guilds met last night and named their representatives to serve on the Awards Committee of the Academy of Motion Picture Arts & Sciences.

The actors guild designated Noel Madison, Dorothy Tree and Paul Harvey; the directors, George Stevens, Mervyn LeRoy and Sam Wood, with Ernst Lubitsch, Lesley Selander and Henry Hathaway as alternates, and the writers, Charles Brackett, Jane Murfin and Allan Scott, with Talbot Jennings, Richard Macaulay and Frank Partos as alternates.

The producer and technician branches of the Academy will announce their selections later this week.

Loew Bronx House Ready

Loew's new 2,000-seat theatre in the East Bronx, the American, will be opened formally Christmas Eve, according to Charles C. Moskowitz, in charge of Loew's Metropolitan theatres. Opening ceremonies will include a parade, a flag raising and the delivery of the keys to the theatre by "Santa Claus." Film personalities are slated to participate.

Feature Review

"Go West"

(M-G-M)

THE Three Marx Brothers follow the advice of Horace Greeley in this, their latest outpouring of comic excitement, the scene a western town of the 1870's, and the result is true Marx Brothers comedy. That means a picture-full of laughs, a smartly executed production technically, and a script turned out in what has come to be the Marxian tradition of fun films.

The three are at their usual hilarious best for the greater portion of the footage, saving the inevitable young couple in love from the machinations of an assorted group of villains, and doing it all to the tune of well-paced comic antics and a full quota of excitement.

The original screenplay by Irving Brecher causes the slightly insane trio to become involved in an attempted land grab by which Robert Barrat and Walter Woolf King try to gain possession of a deed to western land and sell it to a railroad at a handsome figure. The deed actually belongs to Diana Lewis, who is in love with John Carroll.

Embellished by several tuneful numbers, examples of the instrumental talent of Chico at the piano and Harpo at a cleverly contrived pseudo-harp, and the general high jinks of Groucho in the position of quarterback of the team, the film skips along its rollicking way, with gunplay and horseplay alternating. The film concludes with a really funny race between a train of the 70's and the villains in a light carriage, with the Marx Brothers piloting the train, and reducing the coaches to little more than the wheels in order to supply fuel for the engine.

The picture contains its quota of those special touches which are the hallmark of the Marxes on the screen, each of which is good for anything from a chuckle to a howl. With Jack Cummings as producer, Edward Buzzell did a competent job of direction, while Bronislau Kaper and Gus Kahn were responsible for the songs.

Running time, 81 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

Discuss Copyright At Columbia Course

Edward A. Sargoy and Joseph L. Stein, counsel for the major companies' Copyright Protection Bureau, recently conducted a symposium at the Columbia University Law School on the legal problems involved in protecting sound tracks of copyrighted films from unauthorized re-recording and radio or television broadcasting.

They were invited to the seminar on legal problems by Professors Richard B. Powell and Francis Deak of the law faculty, who participated in the discussions.

Lake in Cleveland Closed by Warner

CLEVELAND, Dec. 10. — Warners' Lake Theatre, the only downtown house here with a first run double feature policy, has closed permanently after 14 weeks. Manager Ben Schwartz has been transferred to the Capital on the West Side, and the staff of ushers is being absorbed by other Warner houses. Warners still have a five-year lease on the building, but there are reports that night club operators or a restaurant are bidding for it.

Earnings Reflect War's Effect on British Houses

LONDON, Dec. 10.—The effects of the war on the British theatre field are reflected in the annual meetings of British theatre companies recently held. They have been both good and bad.

General Theatres Corp., a Gaumont British affiliate, reported an increase in the annual profits figure of £25,484 ($101,936) over the previous 12 months. The net profit reached £338,010 ($1,352,040).

On the other hand, another G. B. company, Associated Provincial Picture Houses—meeting at Exeter, Devon, their evacuation headquarters, estimate a considerable drop in revenue for the year ended October last with little prospect of improvement. Many of the company's houses have been bombed.

Oscar Deutsch, chief of the Odeon circuit, however, recording a decrease in profits of £36,509 ($146,036) for the year, took a more or less rosy view of trade prospects. He estimates that the public, thanks to increased spending capacity, has £500,000,000 more than it had previously to spend and want to spend much in theatres.

Some of the Odeon houses have been bombed and already the company has had to spend more than £12,333 ($ 9,332) on structural work. Much money besides had been expended on protecting the patrons and staffs.

During the year, they had spent £91,245 in additions to theatres and equipment, and had invented a further £163,229 in subsidiary companies. As a result of this and other items, the company had to take during the year over £300,000 ($1,200,000) from resources.

Theatre profits and income at £473,482 ($1,893,928) showed a decrease of £36,509 ($146,036) compared with the previous year.

Press to See Films In Projection Rooms

Hollywood, Dec. 10.—Press previews will be held in studio projection rooms instead of theatres to which the public is admitted, effective Dec. 15, according to a decision of the Producers' Association announced today by Y. Frank Freeman, president. The change is claimed to be in the interests of having the reviewers see films under the best possible circumstances. Advertised commercial previews, long an exhibition factor in the Los Angeles area, will not be affected.

Attack Film Policy Of British Ministry

LONDON, Dec. 10.—The Ealing Studios today launched a sharp attack on the operations of the Films Division of the British Ministry of Information, and stated it has no intention of making any more propaganda films for that department.

Declaring itself disillusioned and exasperated by the manner in which the Films Division functions, Ealing will produce propaganda films on its own, financing them privately, with an immediate budget of about $140,000 set. Ealing will distribute the films itself on the open market commercially.

The Ealing statement accuses the division of extravagance, citing one case of 1,000 prints made for a five-minute subject. The studio opposes the system of free distribution instituted by the Government department, and deplores the fact that the division has set up a production body in competition with the established film industry.

The studio cites what it describes as the "complete and utter absence" of any policy or coherent program and the deplorable waste of time in endless and unnecessary consultations with the Ministry of Information.

Oppose KRS Policy At CEA Meet Today

LONDON, Dec. 10.—The London and Home Counties Branch of the Cinematograph Exhibitors Association, at the meeting of the General Council of the C. E. A. at Llandudno, Wales, tomorrow, is expected to demand the council ask the Kinematograph Renters Society (distributors) to abandon their new policy on theatres closed by the war or undertake joint conferences on it.

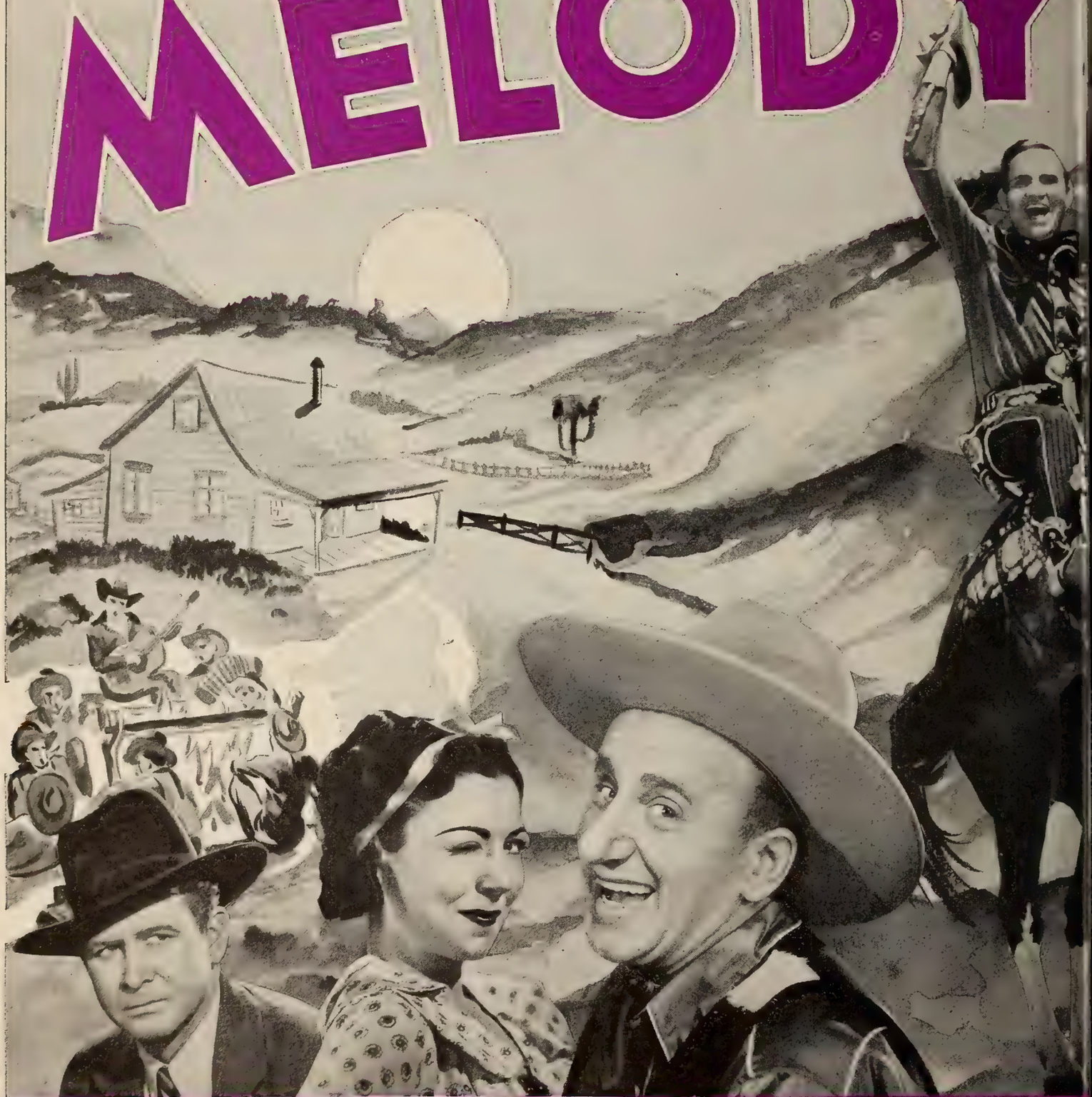
A full debate on the issue is anticipated at the session. The K. R. S. is understood to be favorable to the idea of joint talks, but insists on its right to question exhibitors concerning their operating plans. The council also is expected to consider a nationwide campaign for Sunday operation. It is understood the C. E. A. favors sending deputations to the Ministries of Home Security and Labor seeking their cooperation on Sunday shows.

Comerford Plans House

WILKES-BARRE, Pa., Dec. 10.—Comerford will build a new neighborhood house here.

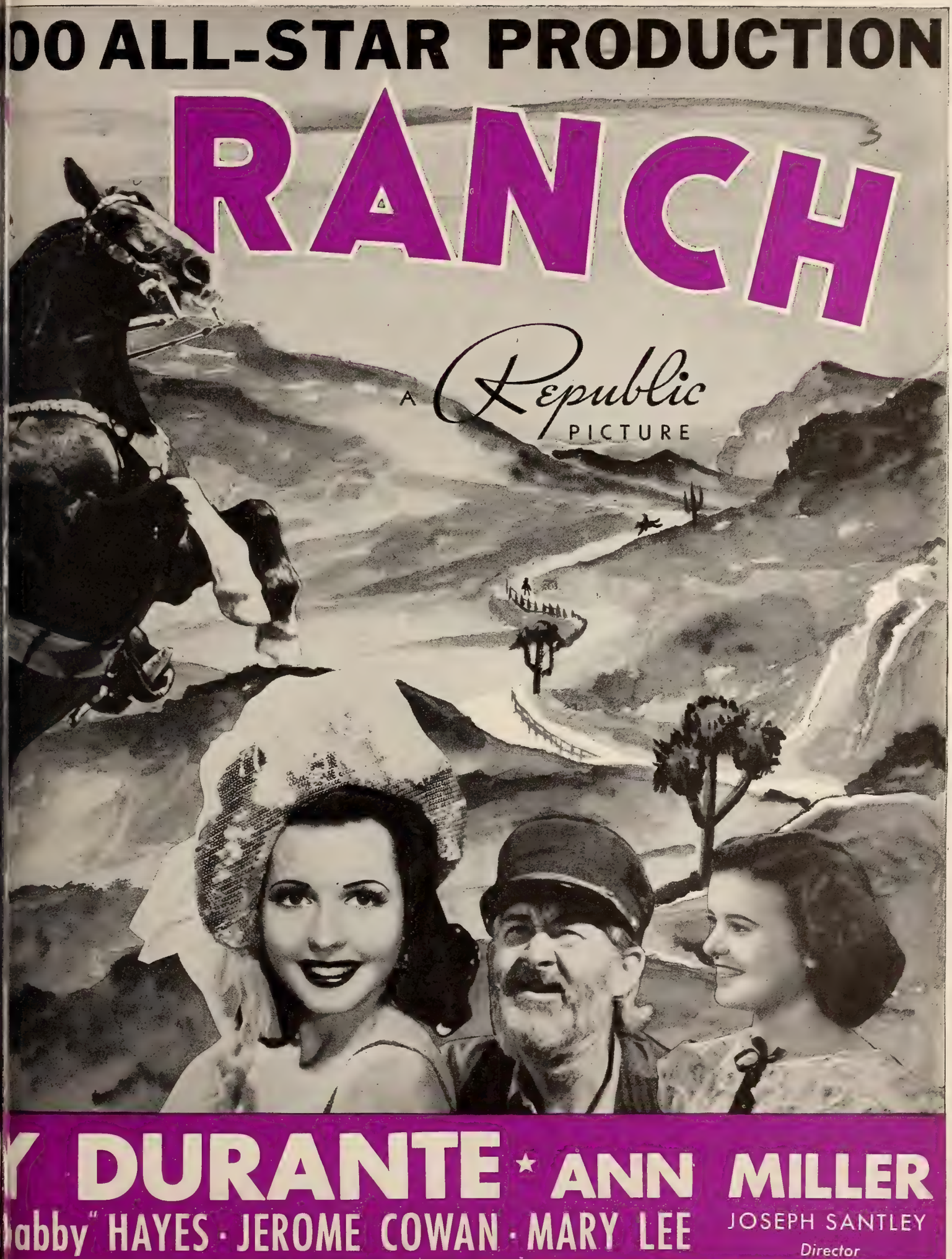
GENE AUTRY'S FIRST $500,

MELODY



GENE AUTRY ★ JIMM

and BARTON MacLANE · BARBARA ALLEN (VERA VAGUE) · GEORG


00 ALL-STAR PRODUCTION
RANCH
A Republic PICTURE
Y DURANTE ★ ANN MILLER
abby" HAYES · JEROME COWAN · MARY LEE
JOSEPH SANTLEY
Director

'Arise,' Hall Loop's Best With $38,000

CHICAGO, Dec. 10.—"Arise, My Love," with Jon Hall, Frances Langford and the Carl Spitz Dogs on the stage, took $38,000 at the Chicago. "Dispatch from Reuters" tallied $8,500.

Estimated takings for the week ending Dec. 6:

"Dispatch From Reuters" (W. B.)
APOLLO—(1,400) (35c-55c-65c-75c) 7 days. Gross: $8,500. (Average, $6,500)

"Arise, My Love" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Frances Langford, Jon Hall, Carl Spitz Dogs. Gross: $38,000. (Average, $32,000)

"Howards of Virginia" (Col.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $4,000. (Average, $5,000)

"Public Deb No. 1" (20th-Fox)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Hollywood Hotel Unit. Gross: $13,000. (Average, $13,000)

"Mark of Zorro" (20th-Fox)
ROOSEVELT—(1,500) (35c-55c-65c-75c) 7 days. Gross: $7,000. (Average, $11,000)

"Haunted Honeymoon" (M-G-M)
STATE-LAKE—(2,700) (25c-40c) 7 days. Stage: Harry James Orchestra. Gross: $15,000. (Average, $15,000)

"Escape" (M-G-G)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $12,000. (Average, $14,000)

"You'll Find Out" (RKO)
"Queen of Destiny" (RKO)
PALACE—(2,500) (35c-40c-60c) 7 days, 2nd week. Gross: $12,000. (Average, $13,000)

Parley on Extras' Pact Start Dec. 18

HOLLYWOOD, Dec. 10.—First meeting of the Screen Actors Guild negotiating committee with producers on the proposed agreement for wage scales and conditions for extras was set today for Dec. 18, following the designation of Guild representatives at a board meeting last night.

Representing the Guild will be Walter Abel, Edward Arnold, Edwin Stanley, John Dales, Jr., Kenneth Thomson, Antrim Short and Laurence Beilenson, attorney. The producer committee consists of Y. Frank Freeman, E. J. Mannix, Herbert Preston and Mendel B. Silberberg, attorney.

Thomson, executive secretary of the S.A.G., was also named to the standing committee which will administer the contract, to aid on the committee's plan to reduce the number of extras, thus creating more work for others.

Pascal Must Testify In Suit by Krimsky

Gabriel Pascal, British producer, yesterday was ordered to testify before trial by N. Y. Supreme Court Justice Ferdinand Pecora in connection with the $100,000 damage suit of Joseph Krimsky. Pascal is charged with breaching a contract made in 1933 under which he allegedly promised Krimsky one-half interest in all future pictures. Krimsky is seeking a share of the profits of "Pygmalion." Pascal is to testify upon his arrival in New York from England.

Hastings House Closed

The Hastings, Hastings-on-Hudson, N. Y., has closed.

Plan O'Shea Luncheon Dec. 19

(*Continued from page 1*)

Fox exchange. Arthur Rapf is treasurer of the committee.

Others named to the arrangements committee are: William F. Rodgers, Tom Connors, Howard Dietz, Edward Saunders, Si Seadler, J. J. O'Connor, C. C. Moskowitz, James J. Walker, Samuel Rinzler, Laurence Bolognino, Edward Rugoff, Samuel Strausberg, Walter Reade, Si Fabian, Meyer Schine, Frank C. Walker, John Nolan, Max A. Cohen, Charles Moses, Leo Brecher.

Joseph Katsch, Leon Rosenblatt, Don Jacocks, Harry Hecht, Lee Newbury, David Snaper, David Weinstock, Sam Shain, Joseph Seider, Frank Moscato, Milt Kusell, Harry Buxbaum, Joe Lee, Robert Wolfe, David Levy, Jack Ellis, Nat Cohn, Edward Schnitzer, Clarence Eiseman, Ben Abner, William Scully, Martin Levine, Oscar Doob, Lionel Toll, Maurice Kann, Charles E. Lewis, Jack Alicoate, Chester Bahn, Terry Ramsaye, Herman Robbins, J. J. Thompson and Charles L. O'Reilly.

Coast Unions Seek Coin Machine Rule

HOLLYWOOD, Dec. 10.—Two unions moved in on slot machine films today. Musicians' Local 47 issued regulations covering employment of musicians in production of 16mm. films, and Operators' Local 150, I.A.T.S.E., began a survey of the number of projectors in Los Angeles before starting negotiations for servicing the machines.

J. W. Gillette, A.F.M. studio representative, said union members must obtain clearance from his office before working on 16mm. films.

Other orders are: "All records of 16mm. films must have a license from the A. F. M.; members are prohibited from rendering service for any unlicensed recorder; all engagements of A. F. M. members for 16mm. coin machine films must be made under the terms of a written contract to be approved and filed in the office of the international studio representative, and must contain the following provision: 'It is agreed music recorded as per the terms of the above contract will not be used for any purpose other than coin machines.'"

Stagehands Get Pay; Chicago Opera Safe

CHICAGO, Dec. 10.—A controversy arising out of the failure of the Chicago Opera Co. to pay stagehands wages amounting to $4,800, which threatened for a time to close the opera tonight, seemed assured of settlement following a meeting of union officials with wealthy sponsors of the Opera Co. late today. Frank Olson, head of the stage hands union, declared earlier that unless the amount due was forthcoming promptly there would be no performance of "Salome" tonight.

Prudential Buys House

Prudential Playhouses has purchased the Paramount, Larchmont, N. Y., from Palmer Amusement Corp., which built the theatre in 1932. Berk & Krumgold represented Palmer in the transaction.

Karloff, Cregar Arrive

Boris Karloff arrived from the Coast yesterday to start rehearsals for a play, "Arsenic and Old Lace." Laird Cregar, who appears in "Hudson's Bay," also arrived yesterday from Hollywood.

Mr. and Mrs. Arnaz Party

Desi Arnaz and his wife, Lucille Ball, who were married recently, will be honored at a reception given by RKO today in the Honeymoon Cottage Suite of the Hampshire House.

Means Again Heads Variety Club in K. C.

KANSAS CITY, Dec. 10.—Jay Means, independent exhibitor, has been re-elected chief barker of the local variety Club. Jerry Zigmond, manager of the Newman, was named first assistant; Ward Scott, district manager for 20th-Fox, second assistant; Charles Shafer, Fox Midwest Theatres, Inc., treasurer, and Arthur Cole of Paramount was reelected secretary. Frank Hensler, branch manager for M-G-M, was named national canvas man.

The annual Variety Club bowling tournament, proceeds of which go to buy milk for undernourished school children in both Kansas Citys, will have the cooperation of the Kansas City *Star* and all bowling alleys in the two cities that are members of the Kansas City Bowling Association. The affair will be held Dec. 21 and 22. Hensler is in charge.

"Arise" at $8,600 Montreal Leader

MONTREAL, Dec. 10. — "Arise My Love" grossed $8,600 at the Palace during a week of blizzards and early Christmas shopping, while "Escape" brought $6,000 to Loew's for its second week.

Estimated taking for the week ending Dec. 6:

"They Knew What They Wanted" (RKO)
"I'm Still Alive" (RKO)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $7,300. (Average, $8,000)

"Escape" (M-G-M)
LOEW'S—(2,800) (30c-40c-60c) 7 days, 2nd week. Gross: $6,000. (Average, $8,000)

"A Little Bit of Heaven" (Univ.)
"Love, Honor and Oh Baby" (Univ.)
ORPHEUM—(919) (25c-34c-50c). Gross: $2,800. (Average, $5,000)

"Arise My Love" (Para.)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $8,600. (Average, $9,000)

"Angels Over Broadway" (Col.)
"Nobody's Children" (Col.)
PRINCEESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $3,800. (Average, $4,500)

Not to Seek Recount On Sunday Film Vote

TAMAQUA, Pa., Dec. 10.—There will be no contest against Sunday films here. The Tamaqua Ministerial Association has decided not to institute an election contest to upset the result of the Sunday film vote last month.

Following announcement by the court that a recount in one precinct had changed the negative majority to an affirmative majority of 79 votes in that precinct, the association called a meeting of all church members to inquire into a recount. However, it was decided that the contest would be too costly.

U. S. Court Will Approve B. & K. Peace

(*Continued from page 1*)

dismissed earlier. Final settlement of the suit is the result of a stipulation between the Government and Paramount in connection with the consent decree in the Government's New York anti-trust suit.

A fine of $5,000 will be imposed on Balaban & Katz Corp., one of $2,500 on B. & K. Management Corp. and one of $2,500 on Paramount Pictures, Inc.

The Government suit charging violation of the 1932 B. & K. decree was begun in 1938. Eldredge originally recommended that Barney Balaban be found guilty of violating the decree, but after a new brief was submitted by Louis Phillips of the Paramount home office legal staff, pointing out errors in the original findings, Eldredge filed a supplementary report in which he recommended that the charges against Balaban be dismissed.

Report Copyright Violations Drop 2%

(*Continued from page 1*)

partment of the bureau's activities this year, and involved activities in 12 states resulting in the recovery for major distributors of 91 films illegally in the possession of others. In this connection, the bureau also obtained deletions of infringing sequences from 35mm. and 16mm. negative and positive films.

The report points out that the Federal consent decree has no effect whatever on existing restrictions against unauthorized holdovers or bicycling of film.

George Brown Named Para. Studio Ad Head

(*Continued from page 1*)

Guild as advisor on public relations, was for several years director of advertising and publicity for Columbia at the home office and studio following eight years in charge of advertising for Universal. He recently was in charge of publicity for the Frank Capra unit at Warners.

Lewis, who has been confined to his home with the flu, said he has no plans.

Musicians Get New Pact with Studios

HOLLYWOOD, Dec. 10.—Changes affecting the wage scales and working conditions of musicians, orchestrators and copyists have been negotiated with the major studios and will become effective Jan. 1, it was announced today by American Federation of Musicians officials here.

Joins Quimby Circuit

Harvey Cocks has resigned as manager of Schine's Strand, Syracuse, to become general manager of Quimby Theatres, Fort Wayne, Ind., a post he had held two years ago.

'Tin Pan Alley' Gets $22,700, Philadelphia

PHILADELPHIA, Dec. 10.—Aided by Thanksgiving Day, Nov. 28, and the Army-Navy game extending the holiday over the weekend, fine grosses were registered. "Tin Pan Alley" gave the Fox $22,700, "The Letter" at the Boyd took $22,300.

Estimated takings for the week ending Dec. 4-6:

"The Great Dictator" (U. A.)
ALDINE—(1,400) (75c-$1.14) 7 days, 6th week. Gross: $6,000. (Average, $9,000)
"Arise, My Love" (Para.)
ARCADIA—(600) (35c-46c-57c) 7 days, 3rd run. Gross: $3,200. (Average, $2,600)
"The Letter" (W. B.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $22,300. (Average, $13,000)
"One Night in the Tropics" (Univ.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including Gray Gordon's orchestra, Beverly Roberts, Condos Brothers, Fred Sanborn, Art Perry, Meridith Blake, Babe Fresk, Jack Fay and Harold Lee. Gross: $18,000. (Average, $14,000)
"Mexican Spitfire Out West" (RKO)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days with vaudeville including Charmaine, 16 Roxyettes, Frank Conville & Suny Dale, Three Macks, Dolores Dancers, Linda Moody, June Lorraine. Gross: $9,500. (Average, $6,900)
"Tin Pan Alley" (20th-Fox)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $22,700. (Average, $13,000)
"Escape" (M-G-M)
KARLTON — (1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run, 2nd week. Gross: $3,900. (Average, $3,000)
"The Mark of Zorro" (20th-Fox)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,800. (Average, $4,500)
"Arizona" (Col.)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $18,500. (Average, $14,000)
"Too Many Girls" (RKO)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $3,900. (Average, $4,500)

'Arise' and Krupa $14,900 in Buffalo

BUFFALO, Dec. 10.—"Arise, My Love" and Gene Krupa and his band at the Buffalo accounted for $14,900. "Tin Pan Alley" and "Gallant Sons" at the Hippodrome took $7,200.

Estimated takings for the week ending Dec. 7:

"Arise, My Love" (Para.)
BUFFALO—(3,489) (35c-40c-60c) 7 days. Gene Krupa and Orchestra on stage, with Irene Daye and Howard Dulaney, Paul Gerrits, Ames and Arno, and Allen and Kent. Gross: $14,900. (Average, $12,000)
"North West Mounted Police" (Para.)
GREAT LAKES—(3,000) (44c-65c) 7 days, 2nd week. Gross: $7,600. (Average at 35c-55c, $7,500)
"Tin Pan Alley" (20th-Fox)
"Gallant Sons" (M-G-M)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd run. Gross: $7,200. (Average, $6,800)
"The Hit Parade of 1941" (Rep.)
"Girl From God's Country" (Rep.)
TWENTIETH CENTURY—(3,000) (30c-40c) 7 days. Gross: $6,000. (Average, $7,500)
"One Night in the Tropics" (Univ.)
"Meet the Wildcat" (Univ.)
LAFAYETTE—(3,000) (30c-40c) 7 days. Gross: $5,000. (Average, $6,300)

Carpenter Is Named To Play Tribunal

Edward K. Carpenter has been named by the Dramatists Guild as its representative to the Permanent Tribunal set up under the new amendments to the basic agreement which permit film companies to purchase film rights prior to production of a legitimate stage play. Arthur Schwartz has been named as alternate.

'Arizona' at $12,000 Is Providence Hit

PROVIDENCE, Dec. 10.—The Strand, playing "Arizona" and "Blondie Plays Cupid" at advanced prices, took $12,000. "Tin Pan Alley" and "Street of Memories" was good for $8,500 at the Majestic.

Estimated takings for the week ending Dec. 4-5:

"You'll Find Out" (RKO)
"Laddie" (RKO)
RKO-ALBEE — (2,239) (28c-39c-50c) 7 days. Gross $7,700. (Average, $6,000)
"Bitter Sweet" (M-G-M)
"So You Won't Talk" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $10,000. (Average, $11,000)
"Tin Pan Alley" (20th-Fox)
"Street of Memories" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 8 days. Gross: $8,500. (7 days average, $7,000)
"Arizona" (Col.)
"Blondie Plays Cupid" (Col.)
STRAND—(2,200) (35c-50c-65c) 7 days. Gross: $12,000. (Average, $6,000)
"The Old Swimmin' Hole" (Mono.)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 4 days. Stage show with Clyde McCoy and Orchestra: Rufe Davis, Mildred Bailey, Calgary Brothers, Milt Herth Trio and Johnny Barnes. Gross: $4,500. (Average, $7,000)
"The Letter" (W. B.)
"Charter Pilot" (20th-Fox)
CARLTON—(1,526) (28c-39c-50c) 8 days. Gross $3,100. (7-day average, $3,500)
"Melody Ranch" (Rep.)
"The Devil's Pipeline" (Univ.)
FAY'S — (1,800) (15c-28c-39c) 8 days. Gross: $2,900. (7-day average, $2,500)
"Knute Rockne—All American" (W. B.) (3 days)
"Wyoming" (M-G-M) (3 days)
"Down Argentine Way" (20th-Fox) (4 days)
"Dr. Kildare Goes Home" (M-G-M) (4 days)
EMPIRE — (2,200) (20c-28c) 2nd run. Gross: $1,700. (Average, $1,700)

'Girls,' Herman Band At $22,000 in Detroit

DETROIT, Dec. 10. — "Too Many Girls" on the screen and Woody Herman and his band on the stage grossed $22,000 at the Fox. Only average business was reported at the other downtown theatres.

Estimated takings for the week ending Dec. 5:

"Tin Pan Alley" (20th-Fox)
"The Great Plane Robbery" (Col.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $5,500. (Average, $5,500)
"Strike Up the Band" (M-G-M)
"River's End" (W. B.)
FISHER—(2,700) (15c-55c) 7 days. Gross: $6,800. (Average, $7,000)
"Too Many Girls" (RKO)
FOX — ($5,000) (20c-55c-75c) 7 days. Woody Herman and his band on the stage. Gross: $22,000. (Average, $15,000)
"North West Mounted Police" (Para.)
"A Night at Earl Carrol's" (Para.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $12,000. (Average, $12,000)
"City For Conquest" (W. B.)
"Haunted Honeymoon" (M-G-M)
PALMS — (3,000) (25c-39c-55c) 7 days. Gross: $7,000. (Average, $7,000)
"Little Nellie Kelly" (M-G-M)
"Gallant Sons" (M-G-M)
UNITED ARTISTS—(2,000) (20c-39c-44c-55c) 7 days. Gross: $7,500. (Average, $10,000)

To Guide Benefit Show

ROCHESTER, Dec. 10.—Lester Pollock of Loew's, Jay Golden of the Palace, and William Cadoret will book the entertainment and two name bands for the annual Policemen's Ball to be held at the Civic Exhibits Building St. Valentine's Day.

Pollak Opens Office

Joseph Pollak, who plans to film reproductions of Broadway plays for the 16mm. non-theatrical market, under the name of Theatre-on-Film, Inc., has opened offices at 729 Seventh Ave.

Serving Uncle Sam

Philadelphia, Dec. 10.—Employes of Warner Theatres in this district enlisting for military service include the following: John Radcliff, main office, John J. Edwards, Parker, Darby, Pa., Debert Devitt, Earle, and Charles Price, Earle, Atlantic City, in the Marines; Nathan Lieberman, Orient, Stockton W. MacElhony, sign shop, Robert L. Frind, Capital, Lancaster, Pa.; Irvine J. MacFarland, Boyd, and W. J. Woodworth, Roosevelt, in the Navy; Robert B. Charles, Strand, York, Pa.; Morris Rutter, Jr., Karlton, Boyd B. Rose, Strand, and William C. Jacoby, Capital, York, Pa.

Minneapolis Gives 'Arise' Good $7,000

MINNEAPOLIS, Dec. 10. — Bad weather, which sent the mercury to a season's low of 19 below the early part of the week, hurt grosses. "Arise, My Love" drew $7,000 at the State. Estimated takings for the week ending Dec. 5:

"Arise My Love" (Para.)
STATE — (2,300) (28c-39c-44c) 7 days. Gross: $7,000. (Average, $5,500)
"You'll Find Out" (RKO)
ORPHEUM—(2,800) (28c-39c-44c) 7 days. Gross: $4,600. (Average, $5,500)
"Christmas in July" (Para.)
GOPHER — (998) (28) 7 days. Gross: $2,900. (Average, $2,500)
"The Great Profile" (20th-Fox)
WORLD—(350) (28c-39c-44c-55c) 7 days. Gross: $1,800. (Average, $1,600)
"Wildcat" (Univ.)
"World in Flames" (Para.)
ASTER—(900) (15c-28c) 5 days, first runs. Gross: $1,700. (Average, $1,800)
"North West Mounted Police" (Para.)
CENTURY—(1,600) (39c-44c-55c) 7 days, 3rd week. Gross: $4,500. (Average, $4,000)

'Police' New Haven Leader at $12,000

NEW HAVEN, Dec. 10.—"North West Mounted Police" and "Cross Country Romance" dualed at the Paramount drew a powerful $12,000. "The Letter" with "Hit Parade of 1941" grossed $7,500 at the Roger Sherman. Big weekend business dwindled because of snow, cold and bad driving conditions.

Estimated takings for the week ending Dec. 5:

"Little Nelly Kelly" (M-G-M)
"Hullabaloo" (M-G-M)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $3,900. (Average, $2,700)
"Bitter Sweet" (M-G-M)
"Angels Over Broadway" (Col.)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $7,500. (Average ,$8,000)
"North West Mounted Police" (Para.)
"Cross Country Romance" (RKO)
PARAMOUNT—(2,348) (35c-44c-50c-65c) 7 days. Gross: $12,000. (Average, $4,000)
"The Letter" (W. B.)
"Hit Parade of 1941" (Rep.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $7,500. (Average, $5,000)

Hollywood Aids Auction

Hollywood wardrobe departments have contributed numerous articles to be auctioned Saturday evening at 2 West 13th St. by the Old New York Chapter of the British War Relief Society.

'Escape' Gets Good $7,900, Los Angeles

LOS ANGELES, Dec. 10.—"Escape" drew $7,900 at the 4 Star, while other grosses were generally weak. "Angels Over Broadway" and "One Night in the Tropics" took $7,200 at the Hillstreet and $6,600 at the Pantages.

Estimated takings for the week ending Dec. 4:

"Little Nellie Kelly" (M-G-M)
"Hullabaloo" (M-G-M)
CHINESE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $7,400. (Average, $12,500)
"The Great Dictator" (U.A.)
CARTHAY CIRCLE—(1,518) (75c-$1.65) 7 days, 3rd week. Gross: $12,000. (Average, $17,000)
"Escape" (M-G-M)
4 STAR—(900) (44c-55c) 7 days. Gross: $7,900. (Average, $3,250)
"Angels Over Broadway" (Col.)
"One Night in the Tropics" (Univ.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $7,200. (Average, $6,500)
"Little Nellie Kelly" (M-G-M)
"Hullabaloo" (M-G-M)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $10,700. (Average, $14,000)
"Angels Over Broadway" (Col.)
"One Night in the Tropics" (Univ.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $6,600. (Average, $7,000)
"Arise My Love" (Para.)
"Give Us Wings" (Para.)
PARAMOUNT — (3,595) (44c-55c-75c) 7 days, 2nd week for "Arise My Love." Stage: Tropical Follies; Rube Wolf & Orchestra. Gross: $12,000. (Average, $18,000)
"The Letter" (W.B.)
WARNER BROS. (Hollywood) — (3,000) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $8,200. (Average, $14,000)
"The Letter" (W.B.)
WARNER BROS. (Downtown)—(3,400) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $8,700. (Average, $12,000)
"The Great Dictator" (U.A.)
UNITED ARTISTS—(2,100) (68c-$1.65) 7 days, 3rd week. Gross: $10,000.

'North West' Gets $5,700, Cincinnati

CINCINNATI, Dec. 10.—"North West Mounted Police" had a good $5,700 at the RKO Capitol, and "Tin Pan Alley" drew $13,300 at the RKO Albee. Business otherwise was sub-normal. The weather was pleasant.

Estimated takings for the week ending Dec. 3-7:

"Tin Pan Alley" (20th-Fox)
RKO ALBEE—(3,300), (33c-40c-50c) 7 days. Gross: $13,300. (Average, $12,000)
"Seven Sinners" (Univ.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $6,000. (Average, $10,000)
"You'll Find Out" (RKO)
RKO SHUBERT—(2,150) (33c-40c-50c), 7 days, 2nd week: Gross: $3,100. (Average, $5,000)
"North West Mounted Police" (Para.)
RKO CAPITOL—(2,000) (42c-60c) 7 days, 3rd week. Gross: $5,700. (Average, at 33c-40c-50c, $5,500)
"Lady with Red Hair" (W.B.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross, $3,000.
"Kit Carson" (U.A.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days. Gross: $3,000. (Average, 4,500)
"Trail of the Lonesome Pine" (Para.)
"Murder in the Night" (Film Alliance)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"The Villain Still Pursued Her" (RKO)
"Street of Memories" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $900. (Average, $800)
"The Letter" (W.B.)
KEITH'S—(1500) (33c-40c-50c) 7 days, 2nd week. Gross: $4,700. (Average, $5,000)

Harris Para. Salesman

PHILADELPHIA, Dec. 10.—Nat Harris, Paramount student salesman here, has been appointed a salesman at the local branch.

NBC Shakeup Affects Talent, Program Units

In a long-expected shakeup in the NBC program and artist management divisions, announcement was made yesterday that the Artists Service division had been discontinued, separate program managers were named for the Red and Blue networks and numerous personnel shifts were made.

Dr. Angell on Public Service

Dr. James Rowland Angell, formerly educational counsellor, has been named counsellor for public service programs, including religious, educational, agricultural, talk and children's programs as well as others of a public service character.

Artists Service was replaced by the NBC Concert Service with George Engles, vice-president, formerly in charge of Artists Service, heading the new division. The new department will handle artists in concert and operatic fields while radio talent will be handled by the program department.

Phillips Carlin, formerly sustaining program manager, was named manager of the Red program department, and William Hillpot, formerly of Artists Service, will head the Blue. Both serve under Sidney Strotz, vice-president in charge of programs. Carlin and Hillpot will handle both sustaining and commercial programs. Bertha Brainard, formerly manager of the commercial program division of the program department, will head the newly created program and talent sales division.

Central Booking Office

A central booking office has been established with Helen Sherwood as manager. Charles A. Wall, of the treasurer's office, has been appointed business manager of the program department.

A national production director to coordinate of all network programs has been decided upon with Clarence L. Menser filling the post. The New York production division has been expanded but Wilfred Roberts will continue as manager. Lewis Titterton, manager of the continuity section, Patrick Kelly, announcing section, and N. Ray Kelly, sound effects, will report to Roberts.

Samuel Chotzinoff will head the new music division. Dr. Frank Black, musical director, and Leo Spitalny, contractor of the house orchestra, will report to Chotzinoff. A public service division has been established and will be headed by Walter Preston, Jr. A director of talks will be another office but no one has been named to fill the post.

A. A. Schechter will continue as head of news and special events.

RCA Closes Deals

RCA Photophone has closed sound equipment deals with the following: St. George, Staten Island; Community, Catskill, N. Y.; Milroy, Milroy, Pa.; Alegrian, Risco, Mo.; Roxy, Johnstown, Pa.; Ritz, Dunca, Okla., and the Echo, Baltimore.

Off the Antenna

DUMONT laboratory engineers yesterday claimed to have improved their memory-screen television tube so that the color is now white instead of orange. The tube is being studied to make possible 625-line television with 15 frames instead of the 441-line, 30 frames per second, which was approved by the Radio Manufacturers Association. With a more retentive screen there can be less frames per second without flicker problems.

• • •

Purely Personal: *Allan Ferris, WHN engineer, is the first among that station's personnel, to be called up to active duty. He leaves for the Navy tomorrow. . . . Edward Longstreth has been appointed to the newly-created post of director of radio for Colgate-Palmolive-Peet Co. . . . Glenn W. Payne, NBC commercial engineer, has been promoted to budget officer. . . . Humphrey Bogart, Warner star, will make a guest appearance on the Eddie Cantor show over NBC-Red tonight at 9 P.M. . . . Jones Evans has been promoted to sales manager of WBAX, Wilkes-Barre. . . . Named to the staff of WBTA, Batavia, N. Y., which is expected to go on the air next month are James E. Corbett, Mrs. Helen G. Neville, and William Winn. . . . Helen Burton has joined the WOR press department.*

• • •

Three special events from Madison Square Garden will comprise the NBC television schedule next week. On Monday the finals of the *Journal-American* Diamond Belt amateur boxing tournament will be telecast, the Rangers-Bruins hockey game will be televised Thursday and the college basketball doubleheader on Saturday.

• • •

A delegation of 18 songwriters will be sent by Ascap today to Frederick, Md., to participate in ceremonies celebrating the boost in WFMD's power tonight between 8-10 P.M. John G. Paine, Ascap general manager, and A. P. Waxman, publicity director, will accompany the delegation which includes Sigmund Spaeth, Joe E. Howard, Otto Harbach, Oscar Hammerstein, 2d, Isham Jones, Milton Ager, Fred E. Ahlerd, Charles Tobias, Ernie Bernett, Dave Stamper, May Singhi Breen, Johnny Mercer, J. Frederick Koots, Belle Fenstock, Arthur Schwartz, Jean Schwartz, Nick Kenny and Peter De Rose. WFMD, of course, has signed an Ascap contract.

• • •

Program News: *Crawford Clothes will sponsor Sammy Kaye's orchestra tomorrow evening at 10:15 P.M. over WABC. . . . Gillette Safety Razor Co. will sponsor the Orange Bowl football game from Miami over CBS and Knox Gelatine will sponsor the Cotton Bowl game from Dallas over Mutual, on New Year' Day. . . .Award of the Lambert Trophy to Boston College as the best Eastern football team will be broadcast over CBS tonight at 11 P.M. . . . Will Bradley's trio will be guests on Martin Block's "Make Believe Ballroom" over WNEW at 6 tonight. . . . Harold M. Fleming, Wall St. correspondent for the* Christian Science Monitor, *will analyze business conditions over WOR beginning Saturday at 9:15 P.M. He will be heard weekly. . . . WMCA will promote Latin-American good will by having Ida Bailey Allen's cooking broadcasts done in Spanish and relayed South through WRUL, Boston short wave station. . . . Chateau Martin Wines started to sponsor "News Laughs" over WOR yesterday. The five-minute show will be heard Tuesdays, Thursdays and Saturdays at 11:15 P.M.*

Agents Tell FCC Radio Has Monopoly on Talent

Control of talent through artists bureaus by stations or networks is opposed to the public interest and is a monopolistic practice, the Independent Artists' Representatives charged in a brief submitted to the FCC by Gang & Kopp, I.R.A. attorneys. The brief was submitted to enlarge upon arguments made during the hearings on the monopoly committee report last week.

Dual Allegiance Charged

Alleging that the radio bureaus had a dual allegiance to the advertisers and performers, the brief declared that because "the primary interest of the broadcasting companies is the sale of time, the interest of the talent necessarily suffers." "The control of talent through exclusive management contracts and so-called guaranteed employment contracts by broadcasters tends toward monopoly and suppression of competition," it was said.

A control of talent can be more dangerous than a control of facilities, it was said. At the present time, every musician, singer and artist of concert stature must operate through NBC or CBS, it was asserted. Independent agents cannot compete on representation of announcers because broadcasters monopolize such services through artist bureaus, the brief continued.

Allege Bureau Booking Forced

Several of the abuses alleged included refusal of time to night clubs unless they booked talent through broadcasters' bureaus, the advantage of knowing in advance which companies had purchased network time, and the refusal to permit talent managed by independent agents to go on sustaining shows. Where one network has an exclusive contract with talent, it rarely permits the performer to go on another network, to the disadvantage of the performer, it was charged.

The brief proposed that FCC rules regulate talent agencies operated by broadcasters.

Davis Leads Special Study For 11 Cities

Elmer Davis, CBS newscaster, obtained the highest rating of 13 programs in a special survey conducted by the C. E. Hooper organization for Batten, Barton, Durstine & Osborne, according to a CBS statement yesterday.

The survey was conducted on Oct. 18 in 11 cities with more than 2,000 personal interviews. According to the survey, 24.3 per cent of all persons interviewed heard Davis each day, and 47.6 per cent heard him at least once during the week, with an overall average of 3.6 times weekly for all persons listening to Davis.

Ratings for the remaining 12 shows were Burns & Allen, 43; Paul Sullivan, 35; Al Pearce, 27.9; "Believe It or Not," 25.8; "Hour of Charm," 25; Bob Crosby, 24.8; "Showboat," 22.9; "Uncle Walter's Dog House," 22.7; "Blondie," 22.5; "Cavalcade of America," 22.4; "Uncle Ezra," 22.1; and "Plantation Party," 15.1.

See Music Talks Futile

(*Continued from page* 1)

commercial programs does not go into effect until Sunday.

In his statement, Waring declared that he had obtained the consent of Gene Buck, Ascap president, to negotiate a change in the structure of the new Ascap contract from a flat percentage of all radio revenue to a "per program" basis after Miller had indicated that he would be willing to negotiate on such a basis. When Miller was confronted with Buck's consent, according to Waring, Miller claimed that Buck was insincere.

Miller, in his reply, declared that Ascap had been called upon to withdraw its present proposed contract and submit a new contract based on "per program." Ascap has failed to do this, Miller said.

"I am sure that Waring has tried to free himself of any natural bias that he might have by reason of the fact that he is a member of Ascap," Miller said.

Ascap officials revealed that the "Big 3" of the music publishers, Robbins, Miller and Feist, had not yet renewed their contracts with the society, although a spokesman added that all questions had been settled and that it was a matter of only "a few days." Of the remaining 137, all but two, Southern Music and E. B. Marks which have already signed with BMI, have renewed their Ascap contracts.

Meanwhile, BMI announced that four additional radio stations had signed with them, bringing the total to 456.

The Song Writers' Protective Association, through Irving Caesar, president, last night announced that, starting Jan. 1, it would extend its membership drive and will seek to protect its members' interests in the music dispute.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 115 NEW YORK, U. S. A., THURSDAY, DECEMBER 12, 1940 TEN CENTS

Argentine Unit Goes to BMI; Fight Intense

Society Controls 30,000 Songs; SPA to Picket

The first Ascap foreign affiliate to go over to BMI is the Argentine composers' society, it was revealed yesterday by BMI. The organization, known as the Sociedad Argentina de Autores y Compositores de Musica of Buenos Aires, controls about 30,000 selections including much of the popular tango music. Mexican and Cuban societies previously became affiliated with BMI, but the Argentine group is the first Ascap group to swing over. The Ascap-networks dispute thus became more intense.

Irving Caesar, president of the Songwriters Protective Association, yesterday reiterated his intention of having radio stations picketed by song writers in touring sound trucks if they fail to sign with Ascap.

Most New York City independent stations are still mulling over the Ascap-BMI situation. Since all of them rely heavily on popular records

(*Continued on page* 8)

Rubin Film Chairman Of Conference Unit

J. Robert Rubin, vice-president of M-G-M has been appointed chairman of the Motion Picture Industry Division of the National Conference of Christians and Jews.

Rubin has been active in the work of the Conference and aided the current Mobilization for National Unity campaign of the Conference. The announcement of the appointment was made by Arthur H. Compton, national co-chairman of the Conference.

Atlanta Is Set for 'Wind' Anniversary

ATLANTA, Dec. 11.—This city is almost as much excited about the "anniversary premiere" of David O. Selznick's "Gone With the Wind" as it was at the world premiere a year ago. Vivien Leigh, Laurence Olivier and Alfred Hitchcock, director, will arrive by plane from the Coast tomorrow morning for the "anniversary premiere" at the Loew's Grand in the evening.

It is the first time an anniversary

(*Continued on page* 4)

Selznick, Warner, Zanuck Represent Studios on Awards

HOLLYWOOD, Dec. 11.—First meeting of the Annual Awards Committee of the Academy of Motion Picture Arts and Sciences will be held next Tuesday, it was announced today by Walter Wanger, president.

Wanger also today appointed the remainder of the committee membership. Representing the producers will be David O. Selznick, Jack L. Warner and Darryl F. Zanuck, with Y. Frank Freeman, E. J. Mannix and Joe Pasternak as alternates.

The Science branch of the Academy will be represented by John Aalberg, John Arnold and Jack Otterson, with Grover Laube, Lyle Wheeler and Ray Wilkinson appointed alternates.

Wanger is ex-officio chairman of the committee. Academy officers Frank Capra, Edward Arnold, Robert Riskin, Donald Gledhill and Aalberg are also members.

The awards for the year's "bests" in the various branches of production will be for pictures released during 1940, including films publicly exhibited in the Los Angeles district before Jan. 12, 1941. Previews will be excluded.

The Awards Committee is now complete, with the Screen Actors, Writers and Directors guilds having already named their representatives, which have been announced. Further plans are under way.

$1 Extra Dividend On Loew Common

The board of directors of Loew's, Inc., yesterday declared a regular dividend on the common stock of 50 cents a share and an extra dividend of $1 a share, payable Dec. 31 to stockholders of record on Dec. 20. This is the first extra dividend declared by the company since June 30, 1939, when an extra on the common stock of 50 cents was paid.

Philadelphia Club Banquet Tonight

PHILADELPHIA, Dec. 11.—Frank C. Walker, Postmaster General and head of Comerford Theatres, will be honored here tomorrow night at the sixth annual banquet of the Philadelphia Variety Club at the Bellevue-Stratford Hotel.

About 1,000 persons, including many executives and others from New York, are expected to attend. Ben Bernie will be toastmaster and Benny Fields master of ceremonies at the entertainment.

The list of speakers includes, in addition to Walker, Senator James J. Davis, Gov. Arthur H. James of Pennsylvania; Harold G. Hoffman, former Governor of New Jersey; Spyros Skouras, Major General Clifford H. Powell and Dr. Alexander J. Stoddard, superintendent of the Philadelphia public schools.

Dietz Honored by Aviation

WASHINGTON, Dec. 11.—Howard Dietz, advertising and publicity director of M-G-M, will be toastmaster when many of the nation's notables assemble at the Hotel Carlton here Tuesday night at a banquet sponsored by the National Aeronautical Association.



Howard Dietz

Admiral Harold Stark, ranking Navy officer; Dr. Leo S. Rowe, director general of the Pan-American Union; Gill Robb Wilson, president of the N.A.A., and State Department representatives are scheduled to speak on subjects of timely significance, particularly national and Pan-American defense.

The banquet will bring together one of the year's most colorful gatherings in the capital and will be a highlight in the program of events in connection with the N.A.A. sponsorship of the "hemispheric premiere" of M-G-M's "Flight Command" the same evening.

Guests will be transported to the Capitol Theatre for the premiere. Simultaneous showings will be held in Havana, Mexico City and Toronto.

This will be Dietz's first appearance on a Washington rostrum.

The N.A.A. has designated the day of the premiere as Pan-American Aviation Day, and all aviation interests have been asked to cooperate. The Pan-American Union is also aiding.

Budgets Set For Regional Arbitration

A.A.A. Committee Preparing for Feb. 1 Start

The administrative committee of the American Arbitration Association, which is in charge of the industry's arbitration machinery under the Federal consent decree, yesterday allocated the budgets for the 31 local arbitration boards to be set up in exchange districts.

This is in preparation for the start of operations of the boards in the field by Feb. 1. The committee, of which Paul Felix Warburg is chairman, also began the work of prescribing operating routines for the regional boards.

Due to the addition of the motion picture work to A.A.A. activities, the organization will be forced to move to larger quarters about Jan. 1, by which time the personnel of the national appeal board for the industry and the local arbitration board for the New York exchange district is expected to be completed.

The administration committee now is inspecting several sites for new headquarters, among them a Rockefeller Center location. A selection is scheduled to be made within a few days.

J. Noble Braden, executive secretary of the American Arbitration Association, is due Saturday from the Pacific Coast area where he has set up the local boards. He will leave next Tuesday to establish the boards in the Midwest. Organization of the local boards in the Southern states will be completed in January.

Loew's, RKO, Roxy Sign A.G.V.A. Pact

Three circuits, Loew's, RKO and the Roxy, have signed the new contract with the American Guild of Variety Artists, it was learned yesterday and the remaining vaudeville circuits plan to do so later this week.

The contracts, however, will not be forwarded to AGVA until all of them have been signed. The agreements cover hours, minimum wages and employment of only AGVA members.

Army to Get Loew's Times Square Booth

In line with the current interest in national defense, Loew's formally will turn over to the Army next Wednesday its red, white and blue World's Fair perisphere at Times Square for use as a recruiting station. The structure will be accepted in a ceremony at 1 P. M., with Col. E. B. Pierson, officer in charge of recruiting, accepting for the Army.

Harris, O'Donnell Club Dinner Guests

INDIANAPOLIS, Dec. 11.—John H. Harris of Pittsburgh, national chief barker of the Variety Clubs, and Robert O'Donnell, assistant national chief barker from Dallas, will be guests of honor when the local Variety Club holds its annual banquet for the installation of officers Friday night at the Claypool Hotel here.

Others at the speaker's table will include: Henry F. Schricker, Governor-elect of Indiana; Mayor Reginald H. Sullivan; Samuel Jackson, Indiana Attorney General, and Col. Roscoe Turner, speed flier. New officers of the club are: Kenneth Collins, chief barker; Arthur Landes, assistant chief barker; Albert Blocher, treasurer, and Fred Greenberg, secretary. Carl Niesse, former chief barker, will be toastmaster. A floor show will follow the banquet.

New Lodge Officers Hold First Meeting

First meeting of the newly elected executive committee of Cinema Lodge, B'nai B'rith, was held last night at the office of Arthur Israel, Jr., president-elect, at Paramount.

The committee elected Leon Goldberg, treasurer of RKO Theatres, a vice-president; appointed Robert Weitman, managing director of the Paramount Theatre, as chairman of the membership committee, and A-Mike Vogel, chairman of the Managers' Round Table of *Motion Picture Herald*, as chairman of the program committee.

It was decided to hold the installation of officers early in January. The lodge plans to make this an impressive affair, with industry leaders and Grand Lodge officers in attendance.

Labs to Meet Union Today on New Pact

A meeting between Laboratory Technicians' Union, Local 702, and 17 Eastern laboratories will be held today to discuss terms of a new contract to go into effect Jan. 1 when the existing agreement expires. The union seeks a blanket contract covering all laboratories instead of the present separate contracts.

In addition, a uniform wage scale for all technicians in the same class wherever employed, increases in wages, two weeks' vacation for hourly as well as weekly employes, and a 35-hour instead of 40-hour week are sought by the union.

Personal Mention

MATTHEW J. FOX, Universal vice-president, is scheduled to arrive from the Coast late next week to spend the holidays here.

•

SAM DEMBOW, JR., Paramount Theatres executive, will be discharged from LeRoy Sanitarium today. He had been confined there since Dec 3 with injuries sustained in an automobile accident.

•

CHARLES STERN, Eastern district manager for United Artists, will leave for Miami by plane tomorrow for a rest.

•

LOUIS ASTOR, circuit sales supervisor for Columbia, is resting at his home and is expected to report back to work on Monday.

•

PAUL SHORT, National Screen Service division manager in Dallas and newly elected Chief Barker of the Texas Variety Club, is due here today. He plans to remain a week.

•

A-MIKE VOGEL has left for California.

•

H. J. YATES, head of Consolidated Film Industries, is expected from Hollywood tomorrow.

•

WILLIAM GERMAN, general manager of J. E. Brulatour, Inc., is due from the Coast this weekend.

•

HARRY RATHNER of Producers Releasing Corp. is back from a Coast visit.

•

ALLAN DWAN, who is visiting in New York, expects to return to Hollywood next week.

JOHN FRIEDL of Minnesota Amusement Co.; J. J. FITZGIBBONS of Famous Players Canadian, and NATE GOLDSTEIN of Western Massachusetts Theatres, are in town for Paramount home office conferences.

•

JOSEPH H. HAZEN, Warner attorney, leaves the Coast tomorrow by train for New York, after conferences with HARRY M. WARNER and studio officials.

•

M. A. SCHLESINGER, E. K. O'SHEA, MAX A. COHEN, GEORGE SKOURAS and GEORGE WELTNER having lunch yesterday at Nick's Hunting Room in the Astor.

•

TOBY GRUEN, LEONARD GOLDENSON, AUSTIN KEOUGH, BARNEY BALABAN, FRANK PHELPS, ARTHUR KRIM, ELMER RICE, CLAYTON BOND and LEE SHUBERT at Sardi's for lunch yesterday.

•

CLARENCE EISEMAN, B. S. Moss and ARTHUR SILVERSTONE lunching yesterday at Lindy's (51st St.).

•

MORRIS KINZLER, EDWARD WOLF, SEYMOUR POE and SAM TULPIN having lunch at Lindy's (next to the Rivoli) yesterday.

•

MARTIN QUIGLEY, COLVIN BROWN, JEFFREY BERNERD, ARTHUR LEE, SAM CITRON and JOSEPH MALCOLM lunching yesterday at the Tavern.

•

MORRIS HADELMAN, exhibitor in Shelton and Bridgeport, Conn., and Mrs. Hadelman have announced the engagement of their daughter, DOROTHY, to EDWARD A. AARON. They will be married next Spring.

Cleveland's Variety Club Party Saturday

CLEVELAND, Dec. 11. — Bert M. Stearn will be installed as 1941 chief barker of the local Variety Club Saturday night when the club holds its annual installation banquet and dance in the ball room of the Hotel Hollenden. The retiring president is Nat L. Lefton.

Other new officers who will be installed are: Lester Zucker, first assistant chief barker; Frank Drew, second assistant; I. J. Schmertz, treasurer, and Frank H. Boyd, secretary. Appointed 1941 directors are: Jerome M. Friedlander, M. B. Horwitz, David Miller, John Kalafat, Harry H. Goldstein, P. E. Essick, Lefton and Nat Wolf. Nat Holt is head of the entertainment committee, and Horwitz is directing the sale of tickets.

'Story' as Play Tops Minneapolis Record

MINNEAPOLIS, Dec. 11.—Katharine Hepburn, in her road show production of the play, "The Philadelphia Story," broke the house record of the Lyceum last Saturday, with a $4,000 gross.

The figure was $250 more than the previous record, set by Helen Hayes in "Victoria Regina," also on a Saturday. Extra seats had to be installed in the Lyceum to take care of 100 ticket buyers over the house's capacity of 2,200.

Cohn Will Address Ampa Lunch Today

Jack Cohn, vice-president of Columbia, will be the principal speaker at the Ampa luncheon today in the Sun Room of the Hotel Edison. His topic is "Let's Get Back to Showmanship." He will be introduced by Maurice A. Bergman, who recently resigned as advertising and publicity director for Columbia to join 20th Century-Fox as advertising manager. The scheduled program also includes June Preisser, Boris Karloff and Marjorie Knapp of "Boys and Girls Together," Broadway musical. Nate Spingold and Abe Schneider also will be on the dais.

RKO Has Party for Arnaz, Lucille Ball

Desi Arnaz and his bride, Lucille Ball, were guests of honor yesterday afternoon at a cocktail party in the Honeymoon Cottage Suite of the Hampshire House. They will leave for the Coast at the end of the week. Among those present were Mr. and Mrs. Barret McCormick, Sam Shain, Mr. and Mrs. Rutgers Neilson, Radie Harris, William Boehnel, Sherwin Kane, Leo Brady, Paul Mooney, Fred Lynch, Kenneth McCaleb, Al Steen, Hollis Kennahan, Mr. and Mrs. George Morris, Herbert Golden, Alice Hughes, Jesse Zunser.

'Wind' Mexican Run At Rental of 70%

MEXICO CITY, Dec. 11. — "Gone With the Wind" will have its Mexican premiere here about Jan. 15, and will play two theatres simultaneously at a rental of 70 per cent, similar to that in the United States on the original run.

The picture will play the Cine Olimpia, the only directly American-owned theatre here, which has just been modernized and will reopen early next month, and at the Cine Iris. These are the leading first run theatres. Prices will be 65 cents and 70 cents. The equivalent of 45 to 55 cents is the highest price ever charged here, and that for only a short time.

The picture will play two performances daily, and three on Sundays at both houses.

The film has been booked for six weeks at the Olimpia and 12 weeks at the Iris, which are unprecedented bookings in Mexico. "Rebecca" hung up a previous record by playing four weeks at one theatre here last Fall, at 30 to 50 cents admission.

Up to that time, it was only the exceptional picture which could last more than two consecutive weeks at any one theatre, and then the better business was usually in the second week, when the price generally was reduced. However, in this instance, M-G-M is insisting on the higher price level being maintained throughout the run at the two theatres, and its booking contract will permit it to require an extension of the engagement at either or both houses if the gross appears to warrant such an extension.

Schaefer Due from Coast at Weekend

George J. Schaefer, RKO president, is expected from the Coast this weekend. N. Peter Rathvon, chairman of the RKO executive committee, and John E. Parsons, a member of the board of directors, are scheduled to return to New York with Schaefer.

Cantor at Strand

Eddie Cantor will appear at the Strand tonight with Humphrey Bogart, who heads the stage show. Bogart recently appeared on Cantor's radio program.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald. Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.



REATEST attraction in the history of show business, "GONE WITH THE WIND" is now available for booking. As these lines are printed, other lines wait eagerly at the box-office of Loew's Grand Theatre, Atlanta, where the First Anniversary Premiere of this renowned production is being celebrated.



ITH fitting ceremony, with famed stars and festivities, "GONE WITH THE WIND" is being launched in Atlanta prior to its general release nationwide. The scene of its original, spectacular triumph again resounds to acclaim that echoes through the press of America to the far corners of the country.



HE magic name will soon be on your marquee. For the countless millions who have not yet seen this history-making entertainment—for the countless millions who wait to see it again—"GONE WITH THE WIND" comes in its entirety, exactly as road-shown. Full length! Nothing cut but the price!



HEN you book it, bear in mind that you are playing an attraction which has broken every existing box-office record for extended runs and for gross business in its road-show engagements; the picture that Gallup poll figures reveal 55 million Americans want to see. That includes *your* patrons.

'Bitter Sweet' Is Boston Hit With $37,500

BOSTON, Dec. 11.—"Bitter Sweet" and "Kit Carson" scored a total of $37,500 at two houses, with $16,500 at the Loew's State and $21,000 at Loew's Orpheum. "North West Mounted Police" took $21,000 at the Metropolitan on a dual with "Youth Will Be Served," at slightly advanced prices.

Estimated takings for the week ending Dec. 4:

"Charter Pilot" (20th-Fox)
"The Howards of Virginia" (Col.)
"A Little Bit of Heaven" (Univ.)
KEITH BOSTON — (3,200) (25c-35c-40c-55c). "Charter Pilot" on screen 4 days with vaudeville including Patricia Ellis, Wally Vernon, Dixie Dunbar, Arren and Broderick, Paul Remos and his Toy Boys, and Alf Loyal's dogs. "Howards" and "Bit of Heaven" 3 days. Gross: $4,600 (Average, $8,000)
"You'll Find Out" (RKO)
"Pastor Hall" (U.A.)
KEITH MEMORIAL — (2,907) (25c-35c-40c-55c) 7 days. Gross: $15,500. (Average, $16,000)
"North West Mounted Police" (Para.)
"Youth Will Be Served" (20th-Fox)
METROPOLITAN — (4,367) (39c-44c-55c-65c) 7 days. Gross: $21,000. (Average at 55c top, $15,500)
"The Letter" (W.B.)
"Tugboat Annie Sails Again" (W.B.)
PARAMOUNT—1,797) (25c-35c-40c-55c) 7 days. Gross: $8,000. (Average, $7,500)
"The Letter" (W.B.)
"Tugboat Annie Sails Again" (W.B.)
FENWAY — (1,320) (25c-35c-40c-55c) 7 days. Gross: $5,500. (Average, $4,500)
"Arise, My Love" (Para.)
"Melody Ranch" (Rep.)
SCOLLAY—(2,500) (25c-44c-55c) 7 days. Gross: $4,100. (Average, $4,000)
"Bitter Sweet" (M-G-M)
"Kit Carson" (U.A.)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $16,500. (Average, $12,000)
"Bitter Sweet" (M-G-M)
"Kit Carson" (U.A.)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $21,000. (Average, $17,500)

Atlanta Is Set for 'Wind' Anniversary

(*Continued from page* 1)

premiere has been held for any picture.

A feature will be the presentation of "Miss Anniversary," Louella Stone, an Atlanta girl chosen from 750 contestants who competed for screen tests as a promotion for the event.

The stars' only appearance besides the premiere will be at the British War Relief Society breakfast at which they will take part in an auction of "Gone With the Wind" souvenirs.

Immediately following the Hollywood contingent's stage appearance before the showing of the film, they will leave by plane for Hollywood to permit Olivier to complete a picture.

Three Players West

Jeanette MacDonald left yesterday by train for the M-G-M studio following a concert tour. Gene Raymond, her husband, accompanied her West. June Preisser, M-G-M contract player, leaves today for the Coast after a New York vacation.

Dramatize 2 Para. Films

Two Paramount pictures, "Easy Living" and "The Night of June 13" have been dramatized for stage production.

Feature Review

"Pony Post"

(*Universal*)

JOHNNY MACK BROWN, robust and personable, and Fuzzy Knight, usually capable of generating laughter among Western audiences, share about an equal quantity of footage in this story of a pony express line and saboteurs in a familiar Western locale.

Brown's role is that of newly appointed manager of the express assigned to check unnecessary losses and in so doing his fists and pistol are in action a good deal of the time. Knight is a glorified water boy aspiring to be a rider for the line.

The original screenplay is by Ralph Graves, directed by Al Herman. Nell O'Day, Dorothy Short, Tom Chatterton, Stanley Blystone, Jack Rockwell, Ray Teal and Kermit Maynard are in support.

Running time, 58 minutes. "G."*

**"G" denotes general classification.*

'Alley' Leads Frisco With $16,500 Gross

SAN FRANCISCO, Dec. 11.—"Tin Pan Alley" and "Haunted Honeymoon" did $16,500 in the second week at the Fox. The weather was excellent.

Estimated takings for the week ending Dec. 3-6:

"You'll Find Out" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days, 2nd week. Stage: Vaudeville. Gross: $12,500. (Average, $15,000)
"Tin Pan Alley" (20th-Fox)
"Haunted Honeymoon" (M-G-M)
FOX—(5,000) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $16,500. (Average, $16,000)
"One Night in the Tropics" (Univ.)
"Lone Wolf Keeps a Date" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days. Gross: $7,500. (Average, $8,000)
"Bitter Sweet" (M-G-M)
"Charter Pilot" (20th-Fox)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $9,500. (Average, $11,500)
"The Great Dictator" (U. A.)
UNITED ARTISTS—(2,200) (75c-$1.10) 7 days, 3rd week. Gross: $11,500. (Average, $8,000)
"The Letter" (W. B.)
"Hit Parade of 1941" (Rep.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $5,000. (Average, $6,000)
"Lady With Red Hair" (W. B.)
"East of the River" (W. B.)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days. Gross: $11,000. (Average, $12,000)
"The Baker's Wife" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $900. (Average, $1,000)

'Alley' with $9,000 Indianapolis' Best

INDIANAPOLIS, Dec. 11.—"Tin Pan Alley" and "Murder Over New York" did $9,000 at the Circle and were held. Also profitable were "Escape" and "Dulcy," which brought $10,000 to Loew's.

Estimated takings for the week ending Dec. 5-6:

"Tin Pan Alley" (20th-Fox)
"Murder Over New York" (20th-Fox)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $9,000. (Average, $6,000)
"Arise, My Love" (Para.)
"Dancing on a Dime" (Para.)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $6,200. (Average, $5,500)
"Escape" (M-G-M)
"Dulcy" (M-G-M)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $10,000. (Average, $7,000)
"East of the River" (W. B.)
LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: Edmund Lowe and Ann Dvorak in person; Lawrence Welk and his orchestra. Gross: $9,000. (Average, $8,000)

Emerson Yorke Moves

Emerson Yorke has moved his offices from 245 West 55th St. to 130 West 46th St.

Kansas City Gives 'Escape' $10,500

KANSAS CITY, Dec. 11.—In spite cold weather and snow, "Tobacco Road" at the Music Hall and the Philharmonic, "Escape" and "So You Won't Talk" at the Midland drew $10,500. "Arise, My Love" took $8,000, up $1,000 at the Newman.

Estimated takings for the week ending Dec. 3-5:

"Tin Pan Alley" (20th-Fox)
ESQUIRE—(800) (28c-44c) 7 days, 2nd week. Gross: $2,800. (Average, $2,200)
"Escape" (M-G-M)
"So You Won't Talk" (Col.)
MIDLAND — (4,000) (28c-44c) 7 days. Gross: $10,500. (Average, $9,500)
"Arise, My Love" (Para.)
NEWMAN—(1,900) (28c-44c) 7 days. Gross $8,000. (Average, $7,000)
"The Long Voyage Home" (U. A.)
"Always a Bride" (W. B.)
ORPHEUM — (1,500) (28c-44c) 7 days. Gross: $5,600. (Average, $5,000)
"The Gay Caballero" (20th-Fox)
TOWER—(2,200), (30c) 7 days. Stage: Thurston's Mysteries of India. Gross: $7,000. (Average, $6,000)
Tin Pan Alley (20th-Fox)
UPTOWN—(2,000) (28c-44c) 7 days, 2nd week. Gross: $3,100. (Average, $3,000)

'Mounted' Garners $18,000, Cleveland

CLEVELAND, Dec. 11.—"North West Mounted Police," with a strenuous press and radio publicity campaign and at slightly higher prices, garnered $18,000 at Loew's State. "Great Dictator" drew $5,000 in its fifth and last week at the Stillman.

Estimated takings for the week ending Dec. 5:

"The Letter" (W.B.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $3,800. (Average, $4,000)
"Mark of Zorro" (20th-Fox)
WARNER'S HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $9,000. (Average, $11,000)
"Tugboat Annie Sails Again" (W.B.)
"I'm Still Alive" (RKO)
LAKE—(900) (28c-40c) 7 days. Gross: $900. (Average, $1,500)
"A Little Bit of Heaven" (Univ.)
RKO PALACE — (3,100) (33c-47c-55c) Gloria Jean and stage show. 7 days. Gross: $11,000. (Average, $13,500)
"North West Mounted Police" (Para.)
LOEW'S STATE—(3,500) (38c-44c-55c) 7 days. Gross: $18,000. (33c-39c-47c Average, $11,000)
"Great Dictator" (U.A.)
LOEW'S STILLMAN—(1,900) (75c-$1.10) 7 days, 5th week. Gross: $5,000. (Average, $4,000)

Seiter with Universal

HOLLYWOOD, Dec. 11. — William Seiter was signed today by Universal to direct two pictures.

'Escape' Hits Good $7,900 Seattle Gross

SEATTLE, Dec. 11.—"Escape" on a dual bill at the Fifth Avenue was the only attraction to reach better than average figures. It took $7,900. Christmas shopping cut into grosses. The weather was cold and clear.

Estimated takings for the week ending Dec. 6:

"Arise, My Love" (Para.)
"Christmas in July" (Para.)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $3,600. (Average, $4,000)
"Escape" (M-G-M)
"Hullabaloo" (M-G-M)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $7,900. (Average, $7,000)
"Angels Over Broadway" (Col.)
"Blackout" (U. A.)
LIBERTY — (1,800) (30c-40c-50c-65c) days. Gross: $4,400. (Average, $5,000)
"Bitter Sweet" (M-G-M)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $3,000. (Average, $4,000)
"South of Suez" (W. B.)
"A Little Bit of Heaven" (Univ.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $4,700. (Average, $6,000)
"Hit Parade of 1941" (Repub.)
"Always a Bride" (W. B.)
PALOMAR—(1,500) (30c-40c-50c) 7 days. Vaudeville on stage. Gross: $4,900. (Average, $5,000)
"North West Mounted Police" (Para.)
PARAMOUNT — (3,050) (40c-50c-65c) 7 days, 2nd week. Gross: $5,800. (Average, $6,000)

'Escape' at $13,500 Leader in St. Louis

ST. LOUIS, Dec. 11.—"Escape," at Loew's State, drew $13,500, and "Here Comes the Navy," revived at the St. Louis, took $3,000. Business generally was about average.

Estimated takings for week ending Dec. 5:

"Escape" (M-G-M)
"Haunted Honeymoon" (M-G-M)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $13,500. (Average, $13,000)
"One Night in the Tropics" (Univ.)
FOX—(5,038) (30c-35c-50c) 7 days. Larry Clinton & band and Three Stooges on stage. Gross: $10,000. (Average, $11,000)
"Tin Pan Alley" (20th-Fox)
"Jennie" (20th-Fox)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $10,000. (Average, $11,500)
"You'll Find Out" (RKO)
"Christmas in July" (Para.)
MISSOURI—(3,514) (30c-35c-50c) 7 days. Gross: $4,300. (Average, $4,000)
"Here Comes the Navy" (W.B.)
"Carolina Moon" (Rep.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $3,000. (Average, $3,000)

Change Effective Jan. 1

DES MOINES, Dec. 11.—The switch of Raymond H. Copeland, manager of the Paramount branch here, to the manager's post in Kansas City, and Joseph T. Manfre, manager in Kansas City, to the Paramount exchange here, becomes effective Jan. 1.

To Produce for Mills

Cinemasters, Inc., headed by Arthur Leonard and Dick Hyland, which has been signed as an Eastern production unit to make films for the Mills-Roosevelt film machines, have signed the bands of Vincent Lopez, Will Bradley and Ray Kinney for subjects.

Sweet Mama!



The 'Four Daughters' are

FOUR MOTHERS

(It happened just in time for New Years!)

'FOUR MOTHERS'

Starring

PRISCILLA LANE · ROSEMARY LANE

LOLA LANE · GALE PAGE with

CLAUDE RAINS · JEFFREY LYNN · EDDIE ALBERT

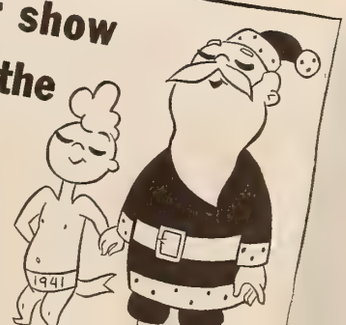
May Robson • Frank McHugh • Dick Foran

Original Screen Play by Stephen Morehouse Avery

Suggested by the Book, "Sister Act," by Fannie Hurst

WARNERS' bigger New Year show than 'Four Daughters' to follow the bigger Xmas show than 'Dodge City' and 'Virginia City'–'Santa Fe Trail'!





MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Nov. 15	Beyond the Sacramento (O) *Bill Elliott Evelyn Keyes*	Gallant Sons (D) 111 *Jackie Cooper Bonita Granville*	Take Me Back to Oklahoma (O) *Tex Ritter*	Three Men from Texas (O) 4050 *William Boyd Russell Hayden*	Trail Blazers (O) *3 Mesquiteers* Melody Ranch (O)	Mexican Spitfire Out West (C) 111 *Lupe Velez*	Street of Memories (D) 102 *Lynne Roberts*		One Night in Tropics (M) *Nancy Kelly Alan Jones*	South of Suez (D) *George Brent Brenda Marshall*
Nov. 22	Escape to Glory (D) Lone Wolf Keeps a Date (D)	Little Nellie Kelly (M) 112 *Judy Garland George Murphy*	Phantom of Chinatown (D) *Keye Luke*		Texas Terrors (O) *Don "Red" Barry Julie Duncan*	You'll Find Out (M) 108 *Kay Kyser Ginny Simms*	Youth Will Be Served (D) 119 *Jane Withers Jane Darwell*	Long Voyage Home (D) *John Wayne Thomas Mitchell*	Meet the Wildcat (D) 5023 *Ralph Ballamy*	The Letter (D) *Bette Davis Herbert Marshall*
Nov. 29	Ellery Queen, Master Detective (D) *Ralph Bellamy*	Dr. Kildare's Crisis (D) *Lew Ayres L. Barrymore*	West of Pinto Basin (O) *Ray Corrigan Terhune & King*		Meet the Missus (C) *Higgins Family*	Remedy for Riches (D) *Jean Hersholt Dorothy Lovett*	Tin Pan Alley (M) 120 *Alice Faye Betty Grable*	Blackout (D) *Conrad Veidt Valorie Hobson*	The Bank Dick (C) *W. C. Fields Una Merkel*	Lady With Red Hair (D) *Miriam Hopkins Richard Ainley*
Dec. 6	Thundering Frontier (O) *Chas. Starrett Iris Meredith*	Go West (M) 114 *Marx Brothers Diana Lewis*		Night at Earl Carroll's (C) *Ken Murray Lillian Cornell*	Border Legion (O) *Roy Rogers Gabby Hayes*	The Fargo Kid (O) 182 *Tim Holt*	Charter Pilot (D) 118 *Lloyd Nolan Lynn Bari*		Margie (C) 5026 *Tom Brown Nan Grey*	She Couldn't Say No (C) 571 *Roger Pryor Eve Arden*
Dec. 13	Great Plane Robbery (D) *Jack Holt Vicki Lester*	Comrade X (C) 113 *Clark Gable Hedy Lamarr*	Chamber of Horrors (D) *Leslie Banks*	Texas Rangers Ride Again (O) *John Howard Ellen Drew*	Barnyard Follies (C) *Mary Lee Rufe Davis*		Murder Over New York (D) 121 *Sidney Toler Ricardo Cortez*		Trail of the Vigilantes (D) *Franchot Tone B. Crawford*	
Dec. 20	Phantom Submarine (D) *Anita Louise Bruce Bennett*		Pride of the Bowery (D) *Bobby Jordan Leo Gorcey*		Behind the News (D) *Lloyd Nolan D. Davenport*	No, No, Nanette (M) 114) *Anna Neagle Zasu Pitts*	Jennie (D) 122 *V. Gilmore William Henry*		Give Us Wings (D) 5025 *Dead End Kids*	Here Comes the Navy (D) 525 *James Cagney Pat O'Brien*
Dec. 27	Arizona (O) *Jean Arthur William Holden*	Keeping Company (D) 116 *John Shelton*	Her First Romance (D) *Edith Fellows E. Evans*	North West Mounted Police (D) 3946 Love Thy Neighbor (C)	Lone Star Raiders (O) *3 Mesquitters*	Kitty Foyle (D) 112 *Ginger Rogers Dennis Morgan*	Chad Hanna (D) 123 *Henry Fonda Dorothy Lamour*	Thief of Bagdad (D) *Sabu June Duprez*	Invisible Woman (C) *J. Barrymore Virginia Bruce*	Santa Fe Trail (D) 551 *Errol Flynn O. De Havilland*
Jan. 3	This Thing Called Love (C) Wildcat of Tucson (O)	Flight Command (D) 117 *Robert Taylor Ruth Hussey*	Rolling Home to Texas (O) *Tex Ritter*	Second Chorus (C) *Fred Astaire Paulette Goddard*	Bowery Boy (D) *Dennis O'Keefe L. Campbell*		Hudson's Bay (D) 115 *Paul Muni Virginia Field*	Son of Monte Cristo (D) *Joan Bennett Louis Haywood*	Where Did You Get That Girl (D) Lucky Devils (D) 5023	Four Mothers (D) 503 *Lane Sisters Jeffrey Lynn*
Jan. 10	Pinto Kid (O) *Chas. Starrett Louise Currie*	Maisie Was a Lady (C) *Ann Sothern Lew Ayres*	You're Out of Luck (D) Trail of the Silver Spurs (O)	Doomed Caravan (O) *Bill Boyd Russell Hayden*	Wyoming Wildcat (O) *Don "Red" Barry Julie Duncan*		Michael Shane, Private Detective (D) *Lloyd Nolan*		San Francisco Docks (D) *Burgess Meredith Irene Hervey*	
Jan. 17	Face Behind the Mask (D) *Peter Lorre Evelyn Keyes*	Philadelphia Story (C) *Grant-Hepburn James Stewart*		Victory (D) *Fredric March Betty Field*	Robin Hood of the Pecos (O) *Roy Rogers Gabby Hayes*		Romance of the Rio Grande (O) 125 *Cesar Romero*		Six Lessons from Madame LaZonga (M) *Lupe Velez*	
Jan. 24		Wild Man of Borneo (C) *Frank Morgan Mary Howard*		Aldrich Family in Life with Henry (C) *Jackie Cooper*			Western Union (D) 126 *Dean Jagger Robert Young*		Back Street (D) *Charles Boyer M. Sullavan*	
Jan. 31	Legacy (D) *Warner Baxter Ingrid Bergman Fay Wray*	Come Live With Me (C) *James Stewart Hedy Lamarr*					Girl in the News (D) 127 *Valerie Hobson*			

If it's a PARAMOUNT SHORT... it's the Hit of the Show!

November 29

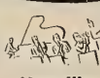
Animated Antics Cartoon
'MOMMY LOVES PUPPY'

December 6

Grantland Rice Sportlight
'MARINE ROUND-UP'

December 13

Popeye The Sailor
'POPEYE PRESENTS EUGENE, THE JEEP'

December 13

Headliner
JOHNNY MESSNER AND HIS ORCHESTRA

100% BOX OFFICE TESTED!

FAME

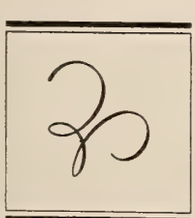
The Audit of Personalities

THE SEVENTH ANNUAL EDITION OF THE INTERNATIONAL REFERENCE AUTHORITY ON TALENT VALUES IS NOW IN PREPARATION.

THE BOX OFFICE CHAMPIONS OF 1940 PRESENTED WITH COMPLETE ANALYSIS AND PERSONNEL CREDITS. . . . THE MONEY MAKING STARS OF THE SEASON EVALUATED AND REPORTED UPON BY THE EXHIBITOR SHOWMEN OF THE WORLD.

THE RADIO CHAMPIONS OF 1940 AS POLLED BY MOTION PICTURE DAILY AMONG THE EDITORS OF THE DAILY NEWSPAPERS OF AMERICA.

EDITED BY TERRY RAMSAYE.



QUIGLEY PUBLICATIONS

ROCKEFELLER CENTER, NEW YORK

Can't Happen Here

Mexico City, Dec. 11

ALTHOUGH the banquet the local newspaper and magazine film critics association tendered Linda Darnell was an outstanding success, it was a pictorial failure. The newspaper photographer who was commissioned to photograph the event made 25 pictures, very good ones.

But not one of the pictures showed Miss Darnell.

Nets Add Stations; Mutual's Total 165

Mutual on Jan. 1 will add two affiliates to bring the total list to 165. They are WDEF, Chattanooga, which operates on 1,370 k.c. with 250 watts, and WBIR, Knoxville, Tenn., on 1,210 k.c. with 100 watts.

On the same date, WFPS, Spartanburg, S. C. will replace WORD, there, operated by the same owner, as the CBS outlet there. WFPS operates on 920 k.c. with 1,000 watts until the local sunset but now has a construction permit for a full time transmitter which is expected to go on the air about March 28.

On Friday of this week, WINN, Louisville, Ky., 1,210 k.c., with 250 watts day and 100 watts night, will join NBC-Blue as a supplementary outlet to the basic Blue. Network rate will be $120 per evening hour.

CBC Chief Attacks Inefficiency Charge

MONTREAL, Dec. 11.—Rene Morin, chairman of the Canadian Broadcasting Corp. board, has answered charges of incompetence and inefficiency in CBC ranks made by Alan B. Plaunt, who resigned from the board. Morin said many of Plaunt's recommendations were debatable.

In an official statement Morin pointed out that Plaunt was a member of the board for four years during which time he appeared to be in agreement with all policies. Morin added that "the violence of the recent denunciations leave the impression that public interest is not the only motive behind them." Plaunt expressed surprise at the statement but said that he was awaiting the formation of a parliamentary committee as the proper place to debate the issues.

Ask FCC Authority For 2 FM Stations

WASHINGTON, Dec. 11.—The Federal Communications Commission has been asked to authorize the construction of another FM broadcasting station in New York and an FM station at Portland, Ore.

The applications were filed by the Bremer Broadcasting Corp., New York, proposing a 47,100-kilocycle station to cover 8,500 square miles with a population of 11,325,000, and KOIN, Inc., Portland, asking the 44,500-kilocycle frequency for a station to cover 8,175 square miles with a population of 608,611.

The commission also received an application from the Butler Broadcasting Co. for a construction permit for a new 680-kilocycle, 250-watt daytime station at Butler, Pa.

Off the Antenna

TO AID stations to meet the Ascap deadline Dec. 31, the NBC Thesaurus division will supply subscribers with 475 royalty-free selections in addition to the regular releases scheduled for Dec. 15 and Jan. 1, C. Lloyd Egner, vice-president in charge of the radio-recording division announced yesterday. On Jan. 1, subscribers will have 2,000 royalty-free selections on hand.

The music will be made up of public domain music and compositions controlled by BMI and Sesac. Thesaurus continuity is being revised to include only non-Ascap music. Several new program series are being added and the total number of hours of continuity is being increased from 21¼ to 24½ hours weekly.

• • •

Purely Personal: *Sammy Kaye and Ella Fitzgerald will debate the relative merits of swing and sweet music on the "High School Reporter" show over WNEW tonight at 8:15....Patricia Ellis will act as Master of Ceremonies on "Musical Mysteries" Sunday at 3 P.M. over WINS....Alonso Sordo Noriega, Mexico City announcer, has been named chief of the Mexican Government's press and publicity department....Yvette will be guest on "Alec Templeton Time" over NBC-Red, Friday, Dec. 20 at 7:30 P.M.*

• • •

WHN will entertain hundreds of orphan children two days before Christmas at a studio party. Free toys will be distributed by eight "Santa Clauses." Included among the white-bearded Kris Kringles will be Dick Fishell, Art Green, Bruce Wendell, Bob Byron, Charles McCarthy and Cinderella, the station's mystery lady.

• • •

After considerable trouble encountered earlier this Fall in clearing time for a five-minute news period at 9:30 P.M. for the Nash sponsorship of the Joseph B. Kennedy newscasts, NBC-Blue was advised yesterday that Nash was canceling the program effective Jan. 6.

• • •

Ignace Jan Paderewski, noted Polish pianist, expressed thanks to WHOM recently for the treatment accorded him upon his arrival in this country. He also expressed interest in the station's "Polish Hour" and asked that three of his favorites be played. WHOM at 6 P.M. tonight will dedicate a special 15-minute show to him. The selections are "Hungarian Rhapsody, Nos. 1 and 2" by Liszt; "Fantasia in C Major" by Schumann; and "Prelude to 'Parsifal'" by Wagner.

• • •

WNBX, Springfield, Vt., will move to Keene, N. H., Dec. 15 and change its call letters to WKNE. The station, which is a CBS affiliate, at the same time will start operations with a new transmitter using 5,000 watts instead of 1,000.

• • •

Mutual yesterday announced that it had appointed its first South American representative in line with the policy laid down by the network's operating board several weeks ago, to start an exchange of programs with Latin America. Roberto Stiglich will be the new representative. He is on a six week tour of South America at present and will make his offices in New York upon his return.

Chance Games Legal, Phila. Court Rules

PHILADELPHIA, Dec. 11.—Chance games for theatres were approved by the Philadelphia Court of Quarter Sessions in a decision handed down yesterday by Howard A. Davis, president. The games were ruled legal provided they conform to the condition that they are games in which luck plays no part and only skill counts. This decision was the first which exhibitors have won in the local courts, which heretofore have banned the games.

Scientists at 'Fantasia'

Members of the New York Academy of Sciences attended a special screening of "Fantasia" at the Broadway last night, prior to the Academy's annual dinner at the Hotel Astor. Scientific and Art aspects of the picture will be discussed at the dinner by various speakers.

Col. Sets Shorts Series

Plans for production of a series of "Junior Quiz Parade" short subjects, which will feature a group of juvenile experts, have been completed by Columbia.

Take Depositions in Folley Trust Action

Notice was filed yesterday in the U. S. District Court that Folley Amusement Corp. will take the depositions of Harry Decker, Roy Haines, and Edward Schnitzer of Warners before trial. The examinations are in reference to Folley's $250,000 antitrust triple damage suit against the eight major companies, Republic and Monogram. Defendants are charged with forcing the plaintiff to close the Folly in Brooklyn because of lack of product.

Awarded $4,500 Costs

Warners, NBC, CBS and a number of music publishing houses yesterday were awarded $4,500 costs by Federal Judge Samuel Mandelbaum in the suit brought against them by Joseph John Davila. The suit claims that "The Desert Song" infringed upon the plaintiff's composition, "If I Were a Spider and You Were My Fly." Judge Mandelbaum had dismissed the suit.

Lewis to Columbus

COLUMBUS, O., Dec. 11. — Leon Lewis, service manager at the RKO 105th Street, Cleveland, has been appointed assistant manager of the RKO Grand here, which is managed by Charles Winthrop.

Argentine Unit to BMI; Fight Grows

(*Continued from page 1*)

there is a considerable likelihood that they will sign with both Ascap and BMI. Most of them, however, are not likely to make any final decision until they are positive that there will be no settlement.

Both CBS and Mutual yesterday continued the Ascap deadline on commercial programs at Dec. 31 despite the fact that NBC on Tuesday advanced the commercial deadline to Dec. 23. Indicentally, as a result of the complete NBC ban on that date, several Ascap tunes which are played repeatedly during the holiday season will be off the air for the first time. These Christmas favorites include "Santa Claus is Coming to Town," "Santa Claus Express," "Santa, Bring My Mommy Back to Me," and "Babes in Toyland."

Fight Mexico Union Picture Censorship

MEXICO CITY, Dec. 11.—Protests have been made by a group of local film men to President Manuel Avila Camacho against the procedure long exercised by the Federation of Mexican Workers of banning pictures that it does not approve. The latest such banning was "He Stayed for Breakfast," which, though the Mexican censors had approved it, was forbidden by the Confederation on the eve of its exhibition at the Cine Teatro Alameda here.

The Confederation explained that it objects to this film because it ridicules Communism. "Ninotchka" was banned for a similar reason some time ago by the Confederation. Vicente Lombardo Toledano, chief of the Confederation, told an executive of the Alameda, who asked him just why his organization had banned "Breakfast," that he could not answer that question until after he had conferred with other leaders of the Confederation. President Camacho promised an investigation.

Seek Mexican Law To Aid Vaudeville

MEXICO CITY, Dec. 11.—Organized unemployed theatrical people have petitioned Congress to enact a Federal law which would make it mandatory for all film theatres to present daily at least one act of vaudeville.

These compulsory stage shows, the petitioners contend, would eliminate unemployment in show business.

Hernandez Heads Mexico City Films

MEXICO CITY, Dec. 11.—The film industry has a new Municipal head, Guillermo Hernandez, noted boxing promoter. He has assumed the post of chief of the Civic Amusements Department, which supervises all amusements in the city.

Iowa Manager Shifted

AMES, Ia., Dec. 11.—Forest J. Sorenson, with the Ames Theatre Co. here for the past 10 years, has been named manager of Central States Grand Theatre at Estherville, Ia.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 116 NEW YORK, U. S. A., FRIDAY, DECEMBER 13, 1940 TEN CENTS

THEATRES WARNED ON TAX EVASIONS

Industry Vital Walker Tells Variety Club

Makes Address at Phila. Banquet; 965 Present

By SAM SHAIN

PHILADELPHIA, Dec. 12.—Frank C. Walker, Postmaster-General, addressing the sixth annual banquet of the Philadelphia Variety Club at Bellevue - Stratford Hotel here tonight, told the assembled guests that a better understanding of the industry's vital role in American life is coming.



Frank C. Walker

There were 965 persons present from all parts of the country, including many New York executives. The consensus was that this was the greatest dinner the Club has held.

Ben Bernie was toastmaster. He presented a check for $2,000 to Superintendent of Schools Alexander J. Stoddard for construction of a spastic pool for paralytic children. Dr. Leon Levy, incoming Chief Barker, announced that when Bernie was tendered a check for his services at the dinner, he turned it back to the Club

(*Continued on page 6*)

Pre-Holiday Slump Sets In on B'way

Midweek grosses slumped during the past few days as the Christmas shopping season started to take its toll. Pleasant weather for shoppers contributed to the drop. However, strong weekend takes helped bolster the totals for the full week.

At the Music Hall, "Thief of Bagdad" with a stage show drew an esti-

(*Continued on page 6*)

Alfred Katz Named U.A. Japan Manager

Alfred Katz has been appointed general manager for United Artists in Japan, Walter Gould, general foreign manager, announced yesterday. Katz, for many years manager for M-G-M in Poland, succeeds Joe Goltz, who has been transferred as general manager in China. Goltz replaces Norman Westwood, resigned.

Universal to Buy $1,000,000 of Its Preferred Stock

Universal board of directors yesterday authorized the allocation of $1,000,000 out of capital surplus for the purchase, on offering, of a large part of the company's outstanding first preferred stock.

This action was taken at a special meeting following an unaudited estimate that the company's net earnings for the fiscal year ended Nov. 2 were approximately $2,400,000 after all charges including estimated taxes, but also including $1,560,000 of blocked currency in Great Britain accumulated during the year.

After considerable market activity in the stock all week, the issue closed yesterday at 119, up nine points on the day's trading, indicating that the tenders for sale of the stock will be about that price. This would permit the purchase of almost two-thirds of the outstanding shares. The previous price range of the issue during the past year has been from 95, low, to 112, high.

There are 15,330 shares of Universal's eight per cent, $100 par, first preferred stock outstanding. No dividends have been paid on the stock since Oct. 1, 1932. Accumulated dividends amount to almost $1,000,000, or about $65 per share.

Tenders for sale to Universal of the

(*Continued on page 6*)

Gov't Offers 'Little Three' Trial Respite

Assurances were given Universal, Columbia and United Artists by the Department of Justice yesterday that the four Government suits pending against them would be tried in an "orderly manner," which would not necessitate the defense by the companies of more than one of the actions at a time.

Acting on the Government's assurances, the three companies withdrew their motion pending before Federal Judge Henry W. Goddard and scheduled for hearing today, which asked that the Government suits in Buffalo, Nashville and Oklahoma City be held in status quo until the New York suit has been decided.

The three companies withdrew this motion without prejudice to renew it in the event the Government's trial procedure on the several suits is not acceptable to the defendants. The Department of Justice is expected to ad-

(*Continued on page 6*)

Swift, Severe U. S. Action To Follow Violation, Tax Chief Says

WASHINGTON, Dec. 12.—A sharp warning to exhibitors that evasion of the admission tax will be followed by swift and severe action was issued today by Commissioner of Internal Revenue Guy T. Helvering.

The Commissioner pointed out as an example of the Government's determination to stamp out tax violations the case brought early this month against Pietro Garofalo, president of the Cine Lux Corp., New York, where a plea of guilty in the Federal District Court brought fines of $5,000 on the corporation and $2,000 on Garofalo, who also was sentenced to two months in prison and deportation to Italy thereafter.

Garofalo made returns to the Collector of Internal Revenue each month but did not remit the tax. His defense was that he used the money to pay the operating expenses of the theatre and corporation.

"The Bureau of Internal Revenue is taking vigorous action against those owners and operators of theatres, cabarets, night clubs and other places of amusement which collect admission taxes and do not remit them to the Government," Helvering said. "The Cine Lux Corp. case evidences the swiftness and thoroughness with which the bureau is moving to clean up this situation."

Cohn Scores Suggestive Theatre Ads as 'Insult'

By SHERWIN A. KANE

Suggestive film theatre advertising was scored as an "insult to the industry" by Jack Cohn, Columbia vice - president, in an informal talk on "Showmanship" at the Ampa luncheon meeting at the Hotel Edison yesterday.



Jack Cohn

Cohn said he referred particularly to those exhibitors who go out of their way to achieve a suggestive inference, wholly unwarranted by anything contained in the picture advertised, in offering films to the public. He cited copy appearing in a Midwestern newspaper which featured the title "Girls on Call," which had been gratuitously substituted for "Glamour for Sale," the company's release title. The Columbia executive good-naturedly chided the advertising men in the audience for having such "cinches" as films to write copy about, yet occasionally failing to sell them properly.

"The motion picture advertising man," Cohn said, "has something glamorous, fascinating, to write copy about. Not only that, but he gets an entirely new product every week. What if you had to write about headache powder or stomach pills—the same product over and over?

"There are only 15 or 20 places in the entire country in which outstand-

(*Continued on page 6*)

Para. to Instruct Staffs In Decree

An analysis of the New York consent decree as it applies to the field sales forces of consenting companies is being prepared for the Paramount sales department by Austin C. Keough, vice-president and general counsel, and Louis Phillips, home office attorney.

When completed, copies of the memorandum will be distributed to all members of the company's sales force by Keough and Phillips, who will individually visit every Paramount branch in the country to instruct the men in their responsibilities under the decree and to answer questions concerning it.

The first of the meetings will be held for the New York exchange in

(*Continued on page 6*)

Coast Flashes

Hollywood, Dec. 12

HAL ROACH and JOHN L. KRUEGER have made a deal under which the latter will use Roach's United Artists release for two pictures, the first of which will be "Washington Correspondent," from a story by Leonard Ross. Krueger is a former personal business manager, making his headquarters at the Roach lot. Shooting will start in February.

•

First local suit for overtime pay allegedly due a film worker under the Wages and Hours Act is on file today in Federal Court at Los Angeles by Mervyn Freeman, cameraman, against Pathe News. Freeman, a member of Local 659, I.A.T.S.E., seeks $7,872 for overtime alleged due and a similar amount for damages.

•

Sol Wurtzel, 20th Century-Fox production executive, will leave Saturday by plane for Mexico City from where he will fly to Buenos Aires on a vacation. He is due back at the studio March 7. While in South America he will investigate possible background material for films.

•

Edwin Knopf, former story editor for M-G-M here, has been given a production assignment by M-G-M. It is Bayard Veiller's "The Trial of Mary Dugan." Laraine Day will have the title role.

SPG Pact Parleys To Start This Month

National Labor Relations conferences on bargaining contracts for the Screen Publicists Guild with the major companies here are scheduled to start before Christmas, it was said at a Guild meeting at the Hotel Piccadilly last night.

The meeting, attended by about 160, heard a talk by Ralph Morgan, president of the Screen Actors Guild, in which he pledged his group's support to the publicity men's union. Rosemary Lane also spoke briefly.

Joseph Gould of United Artists was nominated by acclamation for a second term as president. There will be contests for the other offices. Elections will be held next week.

Lindy's INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

W. A. SCULLY, Universal general sales manager, and J. H. SEIDELMAN, foreign manager, leave today for studio conferences. J. CHEEVER COWDIN, board chairman, will leave Sunday. They plan to return with NATE J. BLUMBERG, president, early in January.

•

GEORGE J. SCHAEFER, president of RKO, will leave the Coast today by train and is due here Monday.

•

BEN COHEN, manager of the Metro, Bombay, India, is due in New York next week on a visit. He formerly was manager of Loew's College, New Haven.

•

ARTHUR HERSCHMAN, Loew theatres publicity man, is in French Hospital with bronchial pneumonia.

•

MILTON WEISS of the M-G-M publicity staff is due back early next week from a Coast vacation.

•

SOLOMON STRAUSBERG, vice-president of the Interboro Circuit, Brooklyn, and JOAN PHYLLIS HORWITZ are to be married Sunday.

•

JOSEPH VOGEL, EDWARD PESKAY, BEN BERNIE and HARRY BERNSTEIN having lunch yesterday at Lindy's (next to the Rivoli).

•

WILLIAM J. HEINEMAN, JAMES JORDAN, WALTER FUTTER, LEO ABRAMS, EMANUEL SILVERSTONE and DOUGLAS ROTHACKER at the Tavern yesterday for lunch.

MARVIN SCHENCK, of Loew's is expected back from the Coast today.

•

LEON NETTER, Paramount home office theatre executive, has returned from a Southern business trip.

•

AL STEFFES of Minneapolis plans to leave for Miami over the weekend.

•

GREGORY RATOFF, HARRY GOLD, JACK GLUCKMAN, HARRY BRANDT and IRVING BERLIN lunching at Lindy's (51st St.) yesterday.

•

ARTHUR LOEW, JOHN BYRAM, CHARLES SONIN, MAX WOLF, GUY BOLTON, and J. J. MURDOCK at Sardi's for lunch yesterday.

•

EDMUND GRAINGER, ADOLPH ZUKOR, MILTON KUSELL, LEON NETTER, ED SAUNDERS and TOBY GRUEN lunching yesterday at Nick's Hunting Room in the Astor.

•

JIMMY SILEO, theatrical photographer, is due today from a three-week trip to Mexico.

•

BORIS MORROS, producer for Paramount, will stop off at Minneapolis tomorrow on his way East.

•

PHIL ENGEL of Warners' exploitation staff leaves today for a tour of New England.

•

GEORGE LANDERS, manager of E. M. LOEW'S house in Hartford, is back from California.

Canada's Air Aces At 'Flight' Dinner

TORONTO, Dec. 12.—High officers of the Royal Canadian Air Force, Royal Air Force, the Royal Norwegian Air Force and the U. S. Army Air Corps now in Canada are among the invited guests at a dinner of the Toronto Flying Club to commemorate Pan-American Aviation Day and the 37th Anniversary of the first flight by a heavier-than-air machine next Tuesday, which will precede the Canadian premiere of "Flight Command" at Loew's Theatre here.

The principal speaker will be Air Marshal W. A. Bishop, Canada's outstanding ace of the World War. Members of the Joint Defense Board of the United States and Canada are expected to attend.

Washington Dinner Broadcast

The National Aeronautical Association dinner in Washington Tuesday evening in connection with the premiere of the film there will be broadcast over the Mutual network.

'Story' in Two Houses

MILWAUKEE, Dec. 12.—M-G-M's "The Philadelphia Story" has been booked into the Strand here to play day-and-date with the second week at the Fox Wisconsin.

June Preisser Party

Armando, the artist, gave a party yesterday for June Preisser in the Bacardi Room at the Empire State Building.

Santa Fe Ready for Opening of Picture

SANTA FE., N. M., Dec. 12.—Preparations have been completed for the three-day program in connection with the three-theatre world premiere here Saturday of Warners' "Santa Fe Trail."

Two special trains, one from Hollywood and the other from New York, met today at Lamy, N. M., and will arrive here tomorrow as one 20-car special train. News and trade paper representatives are attending the premiere. The Coast contingent is headed by Charles Einfeld, Warner director of advertising and publicity, and includes Errol Flynn and Olivia de Havilland, stars of the picture.

The picture will be shown Saturday evening at the Burro Alley, Lensic and Paris theatres. The ceremonies launching the three-day fiesta will begin tomorrow afternoon, with a reception for the guests by Mayor Clyde Tingley.

Lab Leaders Meet With Union on Pact

Heads of six laboratories met yesterday with Laboratory Technicians Union, Local 702, in an informal meeting at the Hotel Piccadilly, to discuss terms of a new contract which is to go in effect when the present contract expires Dec. 31. It was decided that the employers would meet separately in the near future to form their own committees and reconvene with Local 702 when some definite policy had been formulated.

Newsreel Parade

FIRST pictures of the earthquake in Roumania, an assortment of war clips and coverage of the arrival of the Duke and Duchess of Windsor in Miami constitute the important news in the weekend issues. The reels' contents follow:

MOVIETONE NEWS, No. 28—Earthquake in Roumania. Windsors arrive in Florida. Michigan troops in ski maneuvers. German bomber crashes in Kent. Britain's king and queen at airplane factory. Air raid damage in English towns. Plane manufactures visit pilots in London. War equipment arrives in Egypt. Italian submarine escapes British destroyer near Gibraltar. Art week in Florida.

NEWS OF THE DAY, No. 226—Tower of London hit by bomb. Houses in London destroyed. King and Queen at plane factory. English girls aid air defense. Roumanian earthquake. Imperial Japan has a birthday. Windsors greeted in Miami. Art week in Florida. Alice Marble named first woman athlete. Aquatic rodeo.

PARAMOUNT NEWS, No. 31—Anthony Eden views British drive in Egypt. Earthquake in Roumania. Wrestling in Boston. Navy pilot lands plane in Jamaica Bay. Sailors skate on Rockefeller Center ice rink. Tom Harmon awarded Heisman Trophy. War in China. Duke and Duchess of Windsor in Miami.

RKO PATHE NEWS, No. 31—Roumanian earthquake. Troops in training at Fort Benning, Ga. Duke and Duchess arrive in Florida. New radio communication system demonstrated in New Jersey. Female wrestlers in Del Monte. Mrs. Roosevelt discusses migratory workers. Christmas trees cut in Colorado. Michigan gas well burns.

UNIVERSAL NEWSREEL, No. 936—Roumanian earthquake. Japs bomb Chunking. Clear debris in London after air raids. Polish troops trained in Scotland. Indian fliers train with the R. A. F. War weapons arrive in Egypt. Italian submarine chased to safety off Gibraltar. Windsors hailed in Miami. Navy pilot lands plane in Jamaica Bay. "Crown of the Andes" jewel in church ceremony. New rubber bathing suits. Skiing at Bear Mountain. Blind circus star performs in Texas.

Shift Loew Managers

Brock Whitlock, former assistant manager at Loew's Capitol, Washington, has been named manager of Loew's Columbia there, replacing Frank Taylor. Theodore Teschner, assistant manager of Loew's Stillman, Cleveland, has been named manager of the house, replacing Walter Caldwell. Joseph R. Vogel, head of Loew's out-of-town theatres, made the changes.

MOTION PICTURE DAILY
(*Registered U. S. Patent Office*)
Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

PARAMOUNT'S "SECOND CHORUS" PARAMOUNT'S "SECOND CHORUS"



Paulette gets hep to that smooth Astaire step . . . and the critics are giving their picture some rep!

Listen to the Boys swing those adjectives . . .

"One of the gayest, freshest and most exhilarating gems of entertainment filmed this year. In the box office bag—a show for Paramount to thunder from the roof-tops!"
—Hollywood Reporter

"Should have full houses all along the line. Scores solidly!" *—Daily Variety*

"Hits the right tempo for box office appeal!"
—Film Daily

"Has plenty of appeal. Looks like a sure-fire winner!"
—Showmen's Trade Review

"'Second Chorus' is a dandy, with Miss Goddard revealed as a first-class hoofer!"
—John Chapman, Hollywood Columnist, N. Y. Daily News

"The fans of Astaire will be pleased with the latest efforts of their favorite!"
—Sidney Skolsky, Nationally Syndicated Hollywood Columnist

"Clicks along at a fast tempo for solid comedy and laughs!" *—Variety*



FRED ASTAIRE PAULETTE GODDARD

"SECOND CHORUS"

A Paramount Picture with

Artie Shaw and his Band • Charles Butterworth

Burgess Meredith • Produced by Boris Morros

Directed by H. C. Potter • Original Story by Frank Cavett • Screen Play by Elaine Ryan and Ian McLellan Hunter

Paramount Pictures

Help yourself to a Happy New Year with Paramount's "SECOND CHORUS"

PARAMOUNT'S "SECOND CHORUS" PARAMOUNT'S "SECOND CHORUS"

RKO Sets Program To Latin America

RKO yesterday became the first film company to sponsor a short wave radio program to Latin America, when it contracted for three 15-minute programs over NBC Stations WRCA and WNBI, to exploit "Too Many Girls." The deal, for the three shows only, has no relation to the general industry spronsorship of the year's series which NBC is seeking.

Desi Arnaz, featured in the film, will sing several songs and be interviewed by the Cuban actress, Hilda Moreno. The deal was set by Phil Reisman, RKO foreign head, and L. P. Yandell, director of the NBC international division. The programs will be heard Jan. 7, 14 and 21 from 9:15 to 9:30 P.M., E.S.T.

Feature Review

"Lone Star Raiders"

(Republic)

A WESTERN with the congenial "Three Mesquiteers" in the top positions, this is an adaptation of an original story by Charles Francis Royal, adapted by Joseph Moncure March and Barry Shipman. George Sherman directed.

Excitement is yielded from the action sequences, and the photography is outstanding, for which credit goes to William Nobles.

The story is not far from the beaten track. Robert Livingston, Bob Steele and Rufe Davis comprise the fearless trio, the "Mesquiteers," whose chief concern is the procurement of an army contract for an old woman who inherits a livestock ranch. After routine setbacks the three are successful.

The cast also includes June Johnson, George Douglas, Sarah Padden, John Elliott, John Merton and Rex Lease. Louis Gray was associate producer.

Running time, 57 minutes. "G." *

** "G" denotes general classification.*

SWG Blocks Screen Credits Proposal

HOLLYWOOD, Dec. 12.—Members of the Screen Writers Guild last night voted down the producers' proposed compromise of the dispute over screen credits which arose when a clause was inserted in the current writers' contract providing that producers determine writer credits after the guild bargaining contract expires.

The producer proposal called for guild arbitration of disputes for one year after the expiration of the current contract on April 10, with a 30-day cancellation privilege. Members were advised not to sign contracts calling for producer settlement of credit disputes, but if forced to do so as a condition to employment, to attach written protests to the contract.

The guild also has appointed a committee including Horace McCoy, Sidney Buchman, Robert Lees and George Beck to draft a new credit arrangement system under which such minor credits as special dialogue would be considered.

English 'Dictator' Runs Simultaneous

A deal by which "The Great Dictator" has been booked for simultaneous showings in all theatres of both the Gaumont British and Odeon circuits in England, was concluded in London recently by Teddy Carr, joint managing director of United Artists in England.

Terms of the British deals were 50 per cent and extended playing time.

Walter Gould, U. A. foreign manager, announcing details of the deal here yesterday, said that the two leading British circuits also have agreed to permit houses of the Associated British Cinema circuit, as well as independents, to book the picture concurrently with them if the others wish to do so. The simultaneous bookings will prevail even where the two circuits are in direct opposition.

British Exhibitors Contest Policy on Bombed Theatres

LONDON, Dec. 12.—The General Council of the Cinematograph Exhibitors Association, at its meeting at Llandudno, Wales, after full discussion, decided on absolute disapproval of and non-cooperation with the policy of the Kinematograph Renters Society (distributors) on theatres closed by the war.

The general council decided to instruct its officers take immediate action to obtain cancellation or suspension of all contracts of the theatres closed because of bombing raids. It was decided also that the association will give its full support to members seeking adjustment of contracts, and to the effort to have inserted in all contracts a clause cancelling the contract immediately when the house is closed as the result of enemy military action.

Exhibitors will be advised not to sign the form proposed by the K. R. S., requiring certain information relative to the operation of the theatre, and to which the C. E. A. has taken violent objection, but merely to furnish the distributor with a copy of an auditor's statement.

The discussion brought out the general belief in the council that a joint C. E. A.-K. R. S. committee to examine the problem would be practicable, but after a more lengthy discussion of the matter, the organization's more vigorous policy of non-cooperation with the distributors in the matter took hold.

The C. E. A. council further decided to reply to the plea of Minister of War Anthony Eden that free or inexpensive seats be provided at film houses for English troops, that such a plan would be highly impracticable and that the industry is satisfied with the present arrangement for the supply of film entertainment for the troops.

Meanwhile, in a more cooperative spirit, the exhibitors' council approved talks with the War Office on the plan of the Army Council for mobile film apparatus for troops.

The council further agreed on the organization along regional lines, with local trade officers and a paid chief executive officer. Major Arthur Gale, C. E. A. treasurer, was nominated for the chief executive post.

Meanwhile, a labor union deputation, appearing before Major Lloyd George, spokesman for the British Board of Trade, was told that the present film industry situation was giving no immediate grounds for anxiety. The board has the interest of the film industry in mind, the Government spokesman said, and is watching the situation. The deputation pleaded that the Government release film studios for production.

Louisiana Theatres Report Improvement

NEW ORLEANS, Dec. 12.—Theatres virtually throughout Louisiana are reporting excellent business, as a holiday spirit has taken hold of the populace of the state, and business statistics indicate an economic trand reflected in general theatre business.

Louisiana crops have been good, and the port of New Orleans, slowed down for a period by the war, is beginning to show signs of a revival of activity. Year-end sports activities and the occupancy of several army camps in the state also are doing much to increase business.

Ontario Managers Form Association

LONDON, Ont., Dec. 12.—Seven local theatre managers have organized the London Theatre Managers Association to create new interest in the screen and to cooperate with the Motion Picture War Service Committee.

The members of the association include: W. K. Trudell, Capitol and Grand Theatres, chairman; Jack Whitehouse, Centre, secretary; T. J. McKnight, Patricia; P. J. Simmons, Palace; F. B. Jackson, Loew's; David Ziff, Elmwood, and Ernest Parker, Rex. The group has received active cooperation from the London *Free Press.*

3,230 Amusement Firms' '38 Gross At $797,709,000

WASHINGTON, Dec. 12.—A total of 10,353 amusement corporations, 188 of them inactive, filed income tax returns for 1938. Only 3,230 showed taxable income, but they reported an aggregate gross income of $797,709,000 and net income of $80,734,000 on which they paid income taxes of $11,614,000 and excess profits taxes of $88,000. The figures were disclosed today by the Bureau of Internal Revenue.

Seventy per cent of the amusement corporations in the country had no taxable income in 1938 after taking advantage of all allowable deductions, the bureau reported.

The remaining 5,935 corporations had a gross income of $342,982,000 and paid dividends of $801,000, but after allowable deductions had an aggregate deficit for tax purposes of $28,828,000.

41 Legislatures to Meet Next Month

A total of 41 out of 48 state legislatures will begin regular sessions between Jan. 1 and Jan. 10; two others will open regular sessions later, and the remaining five probably will call special sessions.

Tax attention in the various state bodies is expected to be turned toward the compensation for state deficits. Only Connecticut, Nebraska and Indiana are in such favorable financial situation that additional taxation to raise new money is unnecessary.

The general indication is that the motion picture industry is facing a serious tax situation in 1941. Not only the inclusion of the screen in general taxation measures, but the threat of censorship fees, various types of footage and license fees and other assessments are in the offing. Additionally, regulatory measures are likely to be presented in some states.

The Georgia legislature is scheduled to meet in July, with the session limited to 70 days; Florida meets in April. Alabama, Kentucky, Louisiana, Mississippi and Virginia are expected to hold special sessions some time in the Spring.

'Wind' Anniversary Held; Stars Delayed

ATLANTA, Dec. 12.—When the plane carrying Vivien Leigh, Laurence Oliver and Alfred Hitchcock here for the anniversary premiere tonight of "Gone With the Wind" was delayed, "Miss Anniversary" stepped in and carried the show throughout the day. The plane could not land here late tonight and went to Augusta.

Louella Stone, who was selected as "Miss Anniversary" in a contest, carried the honors for the celebrities. She cut the anniversary cake at the British War Relief breakfast, made the public appearances and got all the play on the radio program and from the audience at Loew's Grand.

A cable from Leslie Howard, who is in England, was read before the showing of the picture. Clark Howell, publisher of the *Atlanta Constitution,* was master of ceremonies.

DEAL *SHORTS* FOR YOUR HOLIDAY SHOWS!

★ ★ ★ ★

The DIONNE QUINTUPLETS

GROWING UP

The Dionne Quintuplets going on seven . . . with Dr. Dafoe telling you all about it.

MARCH OF TIME

ARMS AND THE MEN, U.S.A.

The full story of the first peacetime conscriptions in U. S. history.

•

LABOR AND DEFENSE, 1941

Every man a vital cog in the wheels of industry as the U. S. girds for total defense.

WALT DISNEY'S

FIRE CHIEF

Donald Duck's three nephews — a false alarm — and a real alarm, in a flaming riot.

•

PANTRY PIRATE

Pluto plundering the kitchen — and mixed up in a million-bubble bath that's a scream.

Information Please

LOUIS BROMFIELD, famous novelist

guest expert, and the regulars, Fadiman, Kieran, Adams, Levant.

•

WENDELL L. WILLKIE, guest star

in his second appearance with the famous foursome.

SPORTSCOPES

SNOW EAGLES

Skiing, skating and other snow sports at Sun Valley . . . Sportscope crammed with action and fun.

Picture People

Carole Lombard, Robert Montgomery, Alfred Hitchcock, Edgar Bergen, Charlie McCarthy as your public wants to see them.

RKO RADIO PICTURES

Industry Vital Walker Tells Variety Club

(Continued from page 1)

for its local charity fund.

Walker was guest of honor and made the principal address. He said he thinks the motion picture business has been undersold to the public and that he hopes with the stimulus of the national defense program and the Industry's own efforts, the American public will come to have a finer and fuller realization of the business and the men and women of which it consists.

The beginning of a finer association between the industry and the Government, he continued, will be welded, essentially through the Federal consent decree, and he hoped that this may be the start of a better understanding and closer cooperation.

Compares to Postal Service

"Like the postal service," Walker said, "the fine work of the film business, its loyalty and devotion to the public service are not fully understood.

"In the fine arts, in culture and refinement, the motion picture business has contributed as much if not more than any other business to American life."

He paid tribute to John H. Harris of Pittsburgh, founder and president of the national Variety Clubs.

Among other speakers were Harold G. Hoffman, former Governor of New Jersey; U. S. Senator John J. Davis of Pennsylvania; John B. Kelly of Philadelphia; Spyros Skouras, head of National Theatres; Major General Clifford H. Powell, commander at Fort Dix, N. J., and the Rev. Herbert W. Jones, who gave the benediction.

Jay Emanuel Lauded

Benny Fields was master of ceremonies of the entertainment during the dinner, with music provided by Benny Meroff and his orchestra.

Jay Emanuel, retiring Chief Barker, was lauded by the speakers for his services to the Club and presented a set of candelabra in token of his work.

Jack Beresin was general chairman of the affair. Others on the committee were: entertainment, David E. Weshner; dais, Ted Schlanger; reception, Earle W. Sweigert, publicity, Edward Callow; tickets, Hilleary Brown; program books, Charles A. Goodwin; dinner, Benjamin Fertel; seating, Milton Rogasner.

Para. to Instruct Staffs In Decree

(Continued from page 1)

the near future. Keough and Phillips, dividing the out-of-town exchanges between them, will begin their nationwide tours of Paramount exchanges after Jan. 1.

Similar procedure of acquainting the field forces with their responsibilities under the decree is being followed by the other consenting companies, 20th Century-Fox, M-G-M, Warners and RKO.

Critics' Quotes . . .

"THE PHILADELPHIA STORY" (M-G-M)

A notably faithful adaptation of a warm and witty comedy . . . its characters are more than interesting enough to sustain interest and George Cukor presents them in a neatly balanced blend of frank sophistication and warm sympathy. . . . Hepburn brings humor and charm to a role that permits a far wider range than has been her usual luck. James Stewart and Cary Grant are excellent.—*Newsweek.*

The whole thing is delightful . . . the most agreeable screen comedy of the year.—*Virginia Wright, Los Angeles News.*

A sheerly delightful picture . . . entertainment magic. . . . Not since "Holiday" has the screen delved more thoroughly and delightfully into the workings of the upper crust.—*Dorothy Manners, Los Angeles Examiner.*

A delightfully arrant comedy, stemming from drawing-room origins. . . . Seems to have more body and substance even than its footlight original.—*Edwin Schallert, Los Angeles Times.*

One of the slickest items of entertainment ever to come out of the Metro studios. . . . First credit for the unquestioned success of the film as entertainment, as does the still continuing stage original, to Mr. Barry and Katharine Hepburn.—*Garrett D. Byrnes, Providence Journal.*

"THE THIEF OF BAGDAD" (Korda-United Artists)

The sort of eye-filling fairy tale that will especially please the young . . . a thrilling sight . . . lacks comedy, but it makes up for that loss by its glowing color and adventurous and fantastic action.—*Kate Cameron, New York Daily News.*

One of the picture landmarks of the decade . . . a decisive development in the screen epic . . . the color and the amazing sets are breath-taking.—*Lee Mortimer, New York Daily Mirror.*

Ranks next to "Fantasia" as the most beguiling and wondrous film of this troubled season. . . . The color alone makes this film a truly exciting entertainment.—*Bosley Crowther, New York Times.*

There is little question that the younger film-going set will delight in the production . . . a gaudy and whopping screen fairy tale. I am only sorry that it wasn't more fanciful and less gaudy.—*Howard Barnes, New York Herald Tribune.*

"CHEROKEE STRIP" (Paramount)

You've seen this screen story many times. . . . But it is not always so neatly told.—*Laura Lee, Philadelphia Bulletin.*

Dix's cool voice, steady eye and easy gait fit into these thrillers like a cowboy into a saddle. . . . Dix has another of his amiable, sure-fire roles.—*Philadelphia Record.*

Action of the more violent type with plenty of shooting and banditry.—*Philadelphia Daily News.*

Cohn Scores Suggestive Theatre Ads as 'Insult'

(Continued from page 1)

ing selling jobs are done on films. Good showmen don't let good pictures get away from their theatres before their business potentialities have been realized. They keep a good picture running three to four weeks. Too many pictures are out of a theatre in three or four days."

Cohn was introduced by Maurice Bergman, 20th Century-Fox advertising manager, until recently advertising and publicity director for Columbia.

Barney Balaban, Paramount president, will be the guest of honor at the next meeting, Jan. 9. A closed meeting will be held next Thursday, which will be the last until after the holidays.

Leon Bamberger, Ampa president, was chairman of the meeting. On the dais, in addition to those named, were: Nate Spingold, Abe Schneider, Paul Benjamin and June Preisser.

Among those present, including a large Columbia delegation, were: J. A. McConville, Lou Weinberg, Rube Jackter, Max Weisfeldt, Max Seligman, Mort Wormser, Lou Barbano, Hal Hode, Hortense Schorr, Al Sherman, John Kane, Eve Ettinger, Marian Teichner, Max Cohn, Frank McGrann, Jose Schorr, George Ettinger, Henry Spiegel, Ralph Martin, Floyd Weber, Ben Morris, Ben Blake.

Pre-Holiday Slump Sets In on B'way

(Continued from page 1)

mated $79,000 for its first week and started its second yesterday. "No, No, Nanette" starts there next Thursday.

Two films brought in good third-week grosses, with "Tin Pan Alley" and a stage show taking an estimated $33,000 at the Roxy, and "The Letter" with Humphrey Bogart and Ozzie Nelson's band on the stage, grossing an estimated $35,000 at the Strand. Both are holding for four weeks. "One Night in the Tropics" starts at the Roxy Thursday and "Santa Fe Trail" goes into the Strand next Friday.

"The Son of Monte Cristo" grossed an estimated $21,000 at the Capitol and was followed Wednesday by "Third Finger, Left Hand." The last five days of "Blackout" at the Globe drew an estimated $3,600, with "Dispatch from Reuter's" opening there Wednesday.

Lawson's Mother Dies

TORONTO, Dec. 12.—Mrs. James Lawson, mother of J. E. Lawson, attorney for a number of film companies here, is dead in Ottawa at an advanced age.

Universal to Buy $1,000,000 of Its Preferred Stock

(Continued from page 1)

first preferred have been invited to be submitted to the Commercial National Bank & Trust Co., transfer agent, before 2 P. M. on Dec. 30. Delivery of and payment for such stock as may be accepted by the company for purchase through the $1,000,000 fund, is to be made on or about Jan. 6, 1941.

Universal reserves the right to reject any and all offers received for sale of the shares. No sinking fund payments were made on the stock by Universal from 1933 to 1939, both inclusive, when operating losses were sustained which made such payments inadvisable. The first preferred stock acquired by the company for the 1940 sinking fund payments was purchased at an average price of $86.81 per share, and the stock so far purchased for the 1941 sinking fund payments has been purchased at an average price of $101.83 per share.

If the company were to call the stock for redemption, it would be at the call price of $110 plus the accumulated dividends of $65 per share, or $175 per share.

'Wildcat' and Show $13,000, Milwaukee

MILWAUKEE, Dec. 12.—Mischa Auer and John Boles, heading the Riverside show, helped gross $13,000 with the film, "Meet the Wildcat." "Bitter Sweet" and "Mystery Sea Raider" drew $8,500 at Fox's Wisconsin.

Estimated takings for the week ending Dec. 4-5:

"Seven Sinners" (Univ.)
"Too Many Girls" (RKO)
WARNER—(2,000) (30c-40c-55c), 7 days. Gross: $6,500. (Average, $4,500)
"Little Nellie Kelly" (M-G-M)
"Haunted Honeymoon" (M-G-M)
PALACE—(2,400) (30c-40c-55c) 7 days. Gross: $5,300 (Average, $4,000)
"Meet the Wildcat" (Univ.)
RIVERSIDE—(2,700) (33c-44c), 7 days. Stage: Mischa Auer, John Boles. Gross: $13,000. (Average, $6,500)
"Tin Pan Alley" (20th-Fox)
"Queen of the Yukon" (Mono.)
STRAND—(1,400) (44c-65c), 7 days. Gross: $2,800 (Average, $1,500).
"Bitter Sweet" (M-G-M)
"Mystery Sea Raider" (Para.)

U.S. Gives 'Little 3' Respite in Trials

(Continued from page 1)

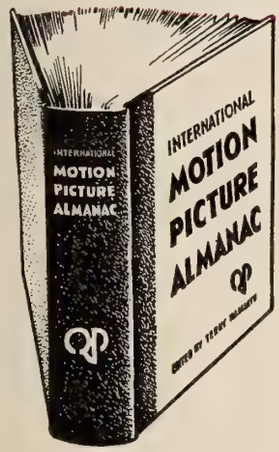
vise them of its proposed trial procedure within the next few days.

The Government's assurances on the trial procedure were given the "Little Three" in accordance with directions from Judge Goddard, who last week rebuked Assistant Attorney General Robert L. Wright for what the court described as an inclination on the part of the Government to be "arbitrary" in refusing to advise the defendant companies which of the four suits would go to trial first. Judge Goddard informed the Government attorney at that time that he would stay the proceedings in the New York suit if the Government went to trial in any of the other actions first.

Wright stated at that time that the Government would be ready to try the Oklahoma City suit first but refused to say if it would be tried first.

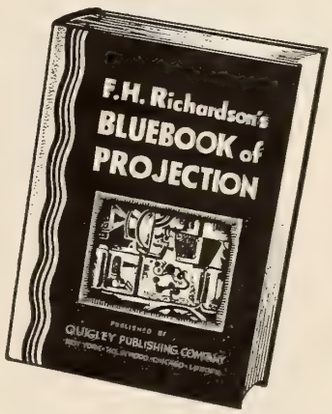
Step into the Quigley Bookshop

COMPLETE THEATRE LIBRARY

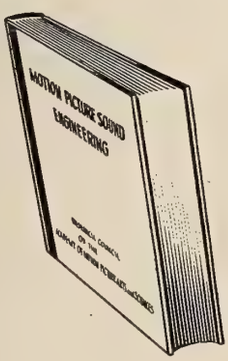


1940-41 edition now in circulation. Worldwide in scope. Completely covers every branch of the business. Who's Who section alone records over 11,000 biographies. The industry's most exhaustive reference manual. . . . . **$3.25** POSTPAID

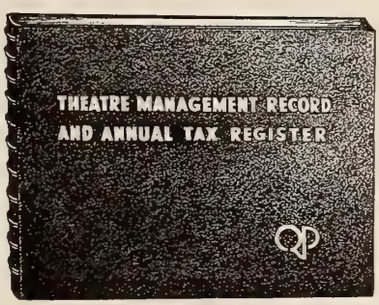
■ **Here is a library of factual information that meets an urgent need. Authoritative manuals expressly prepared for theatremen as practical aids in their daily routine. Glance over the titles! There are books here that should be on your desk now—books that will save you time, effort and expense in the voluminous information they will put at your fingertips.**



The second revision, sixth edition of the Bluebook. Supplemented with sound trouble shooting charts and alphabetical index. 700 pages. A quick trouble-shooter and a sure solution to all projection problems. . . . . **$7.25** POSTPAID



Motion Picture Sound Engineering—the most advanced sound manual to date. Prepared by the country's leading sound engineers. 547 pages, explaining every detail of apparatus. Profusely illustrated with diagrams, tables, charts and graphs. . . . . **$6.50** POSTPAID



Theatre Management Record is the most simplified bookkeeping system yet devised for the exhibitor! No accounting experience necessary. Individual sections for all operating data. Full tax information always readily available. . . . . **$2.00** POSTPAID



A practical treatise devoted to all the diverse elements of theatre air-conditioning and its operation, including codes and ordinances regulating installation. An indispensable manual that all theatremen will welcome. . . . . **$4.00** POSTPAID

QUIGLEY BOOKSHOP

ROCKEFELLER CENTER, NEW YORK

530 Stations Pledge to Join BMI by Jan. 1

BMI yesterday disclosed that in addition to the 462 stations it has already signed, 68 others have definitely pledged to join by Jan. 1, when Ascap contracts expire. This would bring the total to 530, of the 800-odd stations in the United States.

Meanwhile, officials of the major New York independent outlets conferred all day yesterday to decide whether to renew their Ascap licenses. Their sentiment seems to be to await a break on the part of any one of them, with none so far disclosed as willing to take the lead.

The independents are, however, seriously considering signing with both Ascap and BMI to insure a sufficient music supply.

Among the big three New York non-network stations, it is generally believed that WHN will follow the lead of the Robbins Music Co. If the latter renews its Ascap contract, WHN is likely to follow suit and if it does not, WHN will probably sign with BMI, it was reported.

With a deal for the sale of the station pending, WMCA was reported to be holding off until the last possible moment with indications that it would take the same course as WNEW. It is the latter station which is generally regarded as holding the key to the New York independent setup.

Because a major portion of WNEW's programs is recorded popular music, the need for a constantly replenished supply is imperative. For WNEW and stations in a similar situation, BMI's acquisition of public domain and Latin American music is relatively unimportant, it was pointed out. These stations must be assured of a supply of fresh music each week it was said, and unless BMI was prepared to furnish positive guarantees that a steady stream of music will be turned out each week, WNEW and similarly situated stations will be compelled to sign with Ascap.

Form FM Company

ALBANY, Dec. 12.—FM Radio Broadcasting Co., Inc., has been incorporated here by P. K. Leberman and Richard Sanderson, Newark, N. J., and Carl J. Schaefer, New York.

Fire Laddies

Scranton, Pa., Dec. 12.

LAWRENCE "Landy" Campbell, veteran stage director for Comerford Theatres, has been sworn in as an honory officer of Scranton's Fire Department. Russ Morgan, orchestra leader, who is a Scranton native, is an honorary chief. He owns a white helmet and white raincoat, gifts of the department, for his efforts in behalf of the firemen's pension fund.

Off the Antenna

FOLLOWING the numerous personnel shifts in the NBC program department earlier this week, Sidney Strotz, vice-president in charge of programs, yesterday announced the appointment of Dr. Harry B. Summers as program director of the public service division, effective Jan. 1. Summers was a member of the Kansas State College faculty for many years and is well known for his surveys and special studies of various phases of radio. His exact title is director in charge of all program details of the eastern division of the public service division of the program department of NBC under Walter Preston, Jr., manager.

• • •

Purely Personal: *O. B. Hanson, NBC vice-president and chief engineer, returned from San Francisco Wednesday with a case of the flu....Ken Dyke, NBC promotion manager, will be toastmaster at the Alpha Delta Sigma initiation dinner at the Fifth Avenue Hotel today. Dyke will also address a sales meeting of Cummer Products at the Hotel New Yorker next week....Mark Warnow will take his "Your Hit Parade" orchestra on tour shortly after Jan. 1....Dinah Shore will fly to Hollywood for a Warner screen test Wednesday night after completing her weekly performance on the Eddie Cantor show ....Phil Duey and "Scrappy" Lambert join the cast of "Manhattan Merry-Go-Round" Sunday at 9 P. M. over NBC-Red. Lester Gottlieb, Mutual publicity director, returned from a 10-day trip yesterday.*

• • •

The WOR program folio this week appears in a new format with clearer type and a front cover drawing by Leo Garel. If the response from editors is sufficient, WOR will issue a two or three-column mat of the drawing for use as a weekly feature.

• • •

Howard Dietz, M-G-M director of advertising and publicity, will be master of ceremonies on a forum on "The Fight For Democracy" which will be heard over WMCA Sunday at 7 P. M. The forum is being broadcast to promote the Star-Spangled Ball at the Hotel Astor, Dec. 20.

• • •

Program News: *Chesterfield cigarettes has renewed Glenn Miller's show over 95 CBS stations for Tuesday, Wednesday and Thursday at 10 P. M..... Genevieve Tabouis and William E. Dodd, Jr., will be sponsored by Modern Industrial Bank in a commentary series over WMCA at 10:45 P. M., Tuesday, Thursday and Saturday, for two weeks, beginning Tuesday....WNYC will broadcast high school basketball games beginning Tuesday at 3:45 P. M. when it will air the Brooklyn Tech-Hamilton game.*

• • •

In an interview over WMCA with Julius Colby shortly after midnight yesterday, Al Jolson revealed his plans to close his Broadway musical, "Hold On to Your Hats," in the Spring to tour the country organizing entertainment for the men at Army training camps.

Canada Postpones Fixing Music Fees

TORONTO, Dec. 12.—The music situation in the United States has forced postponement of the setting of 1941 fees for the use of music by Canadian broadcasters. This is considered an unusual move here, but the fact that the Canadian Performing Rights Society is affiliated with Ascap had a bearing on the decision. Increased fees are being sought from broadcasters and hotels.

The Copyright Appeal Board of the Dominion Government, however, approved the schedule of fees for theatres and concert halls on the application of the Society. These fees will remain the same.

Theatres made no objections on the renewal of the licenses, but radio and hotel interests are protesting the proposed 1941 schedule. This situation is similar to that in the United States.

Ordinarily, the Government board would reveal its decision shortly after its annual sitting in December.

The Canadian Association of Broadcasters, according to reports, is considering forming a Canadian branch of BMI. But this will probably await outcome of the dispute in the United States.

May Change Halifax Sunday Show Hours

ST. JOHN, N. B., Dec. 12.—A committee representing the province of Nova Scotia, city of Halifax, and the Canadian armed forces has recommended changes in Sunday theatre programs in Halifax.

The changes are designed to overcome the objections to Sunday shows of the clergy. It is planned to open only one house on Sunday to service men and their guests, and if necessary, to open additional theatres.

Argentina Passes 'Spy'

Warners' "Confessions of a Nazi Spy" finally has passed the Argentine censors under the title, "Confessions of a Secret Agent," and will open at the Broadway Theatre, Buenos Aires, Dec. 18. The picture was banned by the censor about six months ago.

Houser with Fleischer

Mervin Houser of the Paramount studio publicity staff has been assigned to the Max Fleischer studio in Miami to handle publicity on the Fleischer feature-length cartoon to be released next season. He will report in Miami about Jan. 1.

Erwin in Warner Film

HOLLYWOOD, Dec. 12.—Stuart Erwin has been assigned a featured role in Warners' "The Bride Came C.O.D.," which will start Jan. 2.

Two-Way Broadcast For 'Corn Is Green'

A novel dramatic production will be attempted by Mutual Tuesday at 11:30 P.M. when a part of the third act of "The Corn is Green," Broadway play, will be dramatized with Emlyn Williams, in England, and Ethel Barrymore and Richard Waring reciting their lines from Mutual's New York studios. Mrs. Mollie Williams, wife of Emlyn, will also be heard from New York on the show, as will Herman Shumlin, the producer.

NBC Sets Holiday Shows to Britain

In one of her rare radio appearances, Shirley Temple will join about 70 other film, radio and stage performers in a "Christmas Greeting to England," which will be broadcast over NBC-Blue on Christmas Day between 1 and 3 P. M.

The program, which will feature talks by Prime Minister McKenzie King of Canada and Mayor Fiorello LaGuardia, will have as guests Edgar Bergen, Jack Benny, Charles Laughton, Eddie Cantor, Gracie Fields, Bob Hope, and Nelson Eddy among others.

Among other features set for the holiday are addresses by President Roosevelt and King George VI. Gladys Swarthout will sing "Silent Night" over the combined NBC networks at 11:55 P. M. Christmas Eve.

On Christmas Day, at 9:30 A. M. British refugee children will speak by telephone to their parents in England and the conversations will be broadcast over NBC-Red. From 10:30 to 11 P. M. Christmas night, foreign correspondents of the networks scattered all over the world will exchange greetings with each other and the home offices.

Christmas program from the Vatican will be broadcast at 1 P. M. on the Red Christmas Day. Army services from Langley Field, Va., will be heard over NBC-Blue. In addition, there will be a host of other special shows including carol singing, readings and other services.

First Trade Census Report Due Shortly

WASHINGTON, Dec. 12.—Census Bureau officials today promised that the results of the 1940 census of the motion picture industry will be made available in preliminary form before the close of the year and possibly before Christmas.

The initial report is expected to cover the production branch of the industry and will be followed by reports on exhibition to be issued next year. The exhibition figures are more difficult of computation because of the fact that they require surveys in every community in the country.

Terry Half Finished

Paul Terry has completed half of the year's program of cartoons for 20th Century-Fox release. Four new subjects are in work at the New Rochelle, N. Y., Terry Toons studio.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 117 NEW YORK, U. S. A., MONDAY, DECEMBER 16, 1940 TEN CENTS

Ascap's 1940 Gross Record At $7,000,000

$5,000,000 from Radio; Films Pay $1,000,000

Ascap's collections for the year ending Dec. 31 are estimated in informed quarters to be in excess of $7,000,000, the highest for any year in the history of the music licensing society.

Of the $7,000,000 total, more than $5,000,000 is said to have been collected from radio broadcasters, an increase of almost $2,000,000 over recent years from that source.

Ascap's collections from motion picture theatres for 1940 remained at approximately the same level as for preceding years, or approximately $1,000,000. The same is true of the society's collections from hotel, cafe, restaurant and similar licensees, which return the society almost $1,000,000 annually.

Ascap's aggregate collections in recent years have been in the neighborhood of $5,000,000 annually. The increase this year corresponds with the increase in broadcasting business, Ascap's current radio contracts being based on a percentage of the business done by the licensees.

Meanwhile, BMI, Ascap's competitor, disclosed over the weekend that of the 541 stations pledged to subscribe to BMI before the end of the month, 164 are independent, unaffiliated stations, 359 are independent stations affiliated with major networks and 18 are owned and operated by major networks. The 541 stations represent 92 per cent of the total billings of the nation's radio stations, according to BMI. On the basis of present negotiations, it was estimated that BMI should have at least 600 stations before Ascap music goes off the air Dec. 31.

Braden to Organize Midwest Arbitration

J. Noble Braden, executive secretary of the American Arbitration Association, will leave tomorrow for Chicago and the Midwest on organization work in setting up local arbitration boards for the industry under the consent decree.

Braden returned Saturday from the Far West where he arranged for the organization of boards in several cities.

Eight Independents With Ascap: Miller

Washington, Dec. 15.—Not more than eight independent stations have so far accepted the new Ascap contract, Neville Miller, National Association of Broadcasters president, on Friday told the opening session of the Eastern State Broadcasters meeting here. The music situation was a principal topic. Representatives were present from 47 stations in Maryland, Virginia, District of Columbia, West Virginia and North and South Carolina. John A. Kennedy of Charleston, W. Va., presided.

93.4% of Contracts Closed, Says Allied

PHILADELPHIA, Dec. 15.—A total of 93.4 per cent of independent exhibitors reporting to the Allied Information Department have signed contracts for 1940-'41 product. The remainder reported no deals made.

This was disclosed over the weekend in the AID's second report on its survey of exhibitors, issued by Sidney Samuelson, chairman of the department. The report failed to disclose the number of theatres on which the figures are based, but said "hundreds of cards" were returned during November.

Based on the total feature requirements of all the houses reporting in relation to the total number of features bought, the report says exhibitors still have not bought 32.2 per cent of the product required to operate their theatres.

The survey, according to the AID, showed that a vast majority of the

(Continued on page 4)

'BIG FIVE' MAY ADD 200 MORE SALESMEN

Companies Expected to Need Larger Staffs At All Exchanges for Bigger Selling Job Under New Decree System

About 200 to 250 salesmen are expected to be added to the field sales forces of the five consenting companies to handle the additional work resulting from introduction of new sales methods under the Federal consent decree, it is said by home office executives.

Each company will need at least one more salesman at all 31 exchanges, and two or three additional men in branches handling the greatest number of accounts or those covering widespread territories, according to an estimate by a ranking sales executive.

This would mean a minimum for the five companies of about 200 new men, with the possibility that the number would be increased by requirements not now foreseen by some of the distributors.

M-G-M estimates its additional manpower requirements at 50 to 60; Warners and 20th Century-Fox at 45 to 60, and RKO at 45 to 50. No estimate was obtainable from Paramount. Neil F. Agnew, vice-president in charge of distribution, asserting that he is working on a sales plan for decree operations and will make no statement until it is completed.

Indications are that the new manpower, in most cases, will be supplied from within the five companies' own distributing organizations. Promotions of bookers and advertising sales managers to the additional sales jobs are expected to supply the largest part of the manpower required. M-G-M also has a reservoir of student or junior salesmen to draw from.

Promotions from the ranks, as is the intention of most of the companies, will leave only vacancies of a clerical type to be filled in the exchange.

Considerable additional clerical help also will be required in the home offices to handle the larger number of contracts involved in the decree selling method and to expedite their approval by the home offices.

Little 3 Plan Suit Attack

Universal, Columbia and United Artists are scheduled to carry the fight to the Government during the next few weeks in opposing the new Federal anti-trust suit pending against them in U. S. District court here.

The companies will ask that the Government suit be dismissed for failure to state a cause of action and for other reasons. It is planned to do this in the early stages of the litigation.

If this move fails, one or all of the companies probably will ask that the portions of the Government's complaint relating to the five consenting companies be stricken out. If successful, this would greatly circumscribe the Government's action, making it virtually impossible to prove that the "Little Three" alone constitute a monopoly or threaten to monopolize the industry.

Numerous other moves by the defendants are in prospect, particularly in connection with the New York suit, but not overlooking the Oklahoma

(Continued on page 4)

"Santa Fe Trail"

[Warners]

HERE is a stirring tale of romance and adventure in the early West which was the Kansas Territory, a half-dozen years before the Civil War, when Bloody Kansas was the preliminary battleground of the war to come over the slavery issue.

The turbulent focal point of that struggle for an ideal, over which the question of Kansas' admission to the Union raged, was John Brown, the fanatical anti-slavery apostle. It is the effort of the United States army post at Fort Leavenworth to capture Brown before his reign of terror spreads too far, that forms the crux of the action with which the film is studded, and the result is splendid entertainment for all audiences.

The picture is made more significant and stronger through the inclusion of overtones of foreboding, of subtle indications of the bloody

(Continued on page 4)

Other Reviews

"Chad Hanna" and "Behind the News" are reviewed from Hollywood on Page 9. A review of "The Lady in Question" appears on Page 4. Critics' Quotes are on Page 11.

Ontario Spots Ban Heralds and Games

Toronto, Dec. 15.—Prohibitions appear to be the order of the day. The Board of Police Commissioners of Windsor, Ont., has banned the distribution of all handbills or the placing of heralds and other advertising accessories in parked automobiles. The authorities at Hull, where the lid is practically off, have banned theatre games for any prizes, raffles, lotteries, games of chance and gambling machines of all kinds.

Bookers Elect New Officers Tonight

Annual election of the Motion Picture Bookers Club will be held tonight at the Hotel Lincoln. Harold Klein of the Cocalis Circuit seeks reelection as president. He is opposed by Dan Ponticelle of Warners.

Other candidates are: for vice-president, Louis Greenfield, Robert Finkel, Frances Bregman, Sam Berns; treasurer, Ben Levine, incumbent, unopposed; financial secretary, Peter Saglembeni, Jack Meltzer; recording secretary, Pearl Elsohn, Sarah Herman; trustees, two to be elected, Jack Gelber, Myron Starr, Bernard Brooks, Ted Krasner, Miss Bregman, Meltzer; sergeant-at-arms, Finkel, incumbent, unopposed.

A board of four directors will be chosen from the following: Max Fried, Leon Greenfield, Edward Richter, Al Blumberg, Harry Margolies, Sam Yellen, Sam Phillips, Jen Dennett and Gelber. An installation dinner will be held shortly after the election.

AGVA Pacts Closed In New York, Phila.

Contracts covering New York theatres and Fay's, Philadelphia, were signed by circuit operators and the American Guild of Variety Artists Friday after several months of negotiations. The agreement provides that all performers in vaudeville or stage presentation houses must be AGVA members. Wage scales and weekly maximum performances are also covered.

Negotiations with vaudeville houses in other cities will start shortly after the first of the year, Hoyt Haddock, AGVA executive secretary, said Friday. No national agreement will be sought at this time.

Signatories now include the Paramount, Roxy and Strand on Broadway and Fay's, Philadelphia, as individual theatres, and Fabian, Fanchon & Marco, Loew's and Brandt circuits.

Grainger Option Renewed

HOLLYWOOD, Dec. 15. — Warners have renewed the option of Edmund Grainger as associate producer.

PENTHOUSE AND ATTRACTIVE OFFICES AVAILABLE AT REASONABLE RENTAL
723 Seventh Ave. Inquire Supt.
BRyant 9-6067

Personal Mention

GEORGE J. SCHAEFER, president of RKO, returns this morning from studio conferences.

•

WILLIAM R. FERGUSON, M-G-M exploitation manager, and KATHARINE BROWN, Selznick story editor, have returned from Atlanta.

•

JOCK LAWRENCE, assistant to Y. FRANK FREEMAN, president of the Producers' Association, and FRANCIS HARMON of the Hays office are due from the Coast today.

•

A. A. SCHUBART, manager of exchange operations for RKO, is in Chicago on a business trip.

•

FRANK DONOVAN, vice-president of RKO Pathe, is due today from a 10-day trip to the Coast.

•

BUDD ROGERS, executive of Alliance Films, returned Friday after several weeks on the Coast.

•

PETER MAYER, associate producer with SAM KATZMAN and son of ARTHUR MAYER of the Rialto Theatre will return to the Coast shortly.

•

PHILIP SASLAU of the Fishman Circuit, New Haven, is constructing a new home in the Connecticut city.

M. A. LEVY, Minneapolis district manager for 20th Century-Fox, has returned to his office after a New York stay.

•

EDWARD M. SCHNITZER, Warners' Eastern district manager, reported back to work Friday after a brief illness.

•

NORMAN MORAY, short subjects sales manager for Warners, returns today after a month's tour of exchanges and a studio visit.

•

E. H. MAYER, MOTION PICTURE DAILY correspondent in Cincinnati, is confined to Holmes Hospital there following an eye operation.

•

JAMES DIXON, assistant manager of Loew's Century, Baltimore, who was transferred to Indianapolis recently, has returned to Baltimore because of his mother's illness.

•

JIMMY SILEO, chief photographer for Radio City Music Hall, returned over the weekend from Mexico.

•

ATHAN PRAKAS of the Rivoli, Bridegport, Conn., is active on the Greek war aid committee in the city.

•

MARGE SWARTZ of Century Circuit and PAUL BEDEROW are to be married Dec. 29.

Benny-Allen Comedy Will Open Tomorrow

The world premiere of Paramount's "Love Thy Neighbor," co-starring Jack Benny, Fred Allen and Mary Martin, will be held tomorrow evening at the Paramount on Broadway.

Today Benny and Allen will hold a series of interviews. They will be guests with their radio companies at a cocktail party at the Stork Club tomorrow afternoon. The opening at the theatre at 9 P.M. will be broadcast over WOR with a lobby program scheduled.

The theatre will be closed several hours tomorrow to permit preparations for the opening. National release of the film is scheduled for Dec. 27.

'Dictator' Opening In London Today

LONDON, Dec. 15.—Charlie Chaplin's "The Great Dictator" will open here tomorrow in three West End theatres. It also has been booked for later showings on the Gaumont and Odeon Circuits, with Associated British as a possible third circuit to get the United Artists release.

It would constitute a record circuit deal, if the Associated British contract were to be closed. The press gave "The Great Dictator" a cordial reception, but there was some criticism of Chaplin's mingling pure comedy with the role of a "social Messiah."

Baltimore Club Elects

BALTIMORE, Dec. 15.—The local Variety Club has elected the following new officers: C. William Hicks, chief barker; O. D. Weems, first assistant barker; Edward Perotka, second assistant barker; Joseph Grant, treasurer, and Barry Goldman, secretary.

'Wind' Will Open in Cincinnati Dec. 25

CINCINNATI, Dec. 15.—"Gone With the Wind" will open for an extended run here on Dec. 25. Local engagement will be at the 2,000-seat RKO Capitol, where the picture broke all records when originally roadshown, and where it again will be shown three times daily. This is the first general release engagement outside of Atlanta.

The 10 A. M. and 2 P. M. matinees will have a 50-cent general admission scale, with no reservations. All seats will be reserved for the evening performance at 55 cents for the balcony, and 65 cents for the orchestra. All prices include tax.

O'Shea Testimonial Proceeds to Charity

Proceeds of the testimonial luncheon for E. K. O'Shea, newly appointed M-G-M division manager, and Jack Bowen, who will succeed him as Eastern district manager, to be held Thursday at the Hotel Astor, will be given to the charity fund of the Motion Picture Associates. Leaders of all branches of the industry in New York are expected to attend, according to the committee, of which Harry Brandt is chairman.

Shea of Erpi on Coast

HOLLYWOOD, Dec. 15.—T. E. Shea, engineering vice-president of Erpi, is here for conferences with studio executives. He expects to remain until the end of the week.

Associates to Nominate

The Motion Picture Associates will hold its annual meeting for the nomination of officers for the coming year at the Hotel Astor on Wednesday.

'Wind' Group Spied Lights of Premiere

Atlanta, Dec. 15.—The only thing of the "Gone With the Wind" anniversary premiere Vivien Leigh, Laurence Olivier and Alfred Hitchock saw Thursday night, they reported, was the misty lights of the search beams in front of Loew's Grand cutting the murk. But the "missout" when their plane was unable to land and went on to Augusta received as much newspaper space, if not more, than if they had attended the premiere. They visited here Friday on their way back to Hollywood.

H. S. Neuberger Rites Held; Was Exhibitor

Funeral services for Harold S. Neuberger, 32, partner in the Fifty-fifth Street and Fifth Avenue Playhouses and the Thalia, who died Friday, were held yesterday at his home in Rye, N. Y.

Neuberger had been ill several weeks with leukemia. He is survived by his widow, Stephanie; a son, Norman; his mother and a sister, Ruth, both in Los Angeles.

Neuberger became associated with the three theatres in 1938. He also was interested in foreign film importing. After graduating from Columbia University in 1929, he spent four years studying film production in Germany, France and England.

Seattle Operators Get Wage Increase

SEATTLE, Dec. 15.—Projectionists in Seattle theatres will receive wage increases ranging from five to 12½ per cent for the year 1941, as a result of a month of negotiations concluded yesterday, during which the union had authorized the calling of a strike if the negotiations were not concluded satisfactorily.

Exhibitors were represented in the negotiations by William Forman, Leroy V. Johnson, James M. Hone, Don Geddes and Paul Aust. The union was represented by Basil Grey, Fred Jiencke, James McNabb, Warren Smith and O. M. Jacobsen.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

HOW'S YOUR PRE-CHRISTMAS BUSINESS?



It knocked N.Y.'s tough critics for a raving loop!

The picture we said would do "Business *before* Xmas" is now playing at the Rialto Theatre, New York



"A whale of a western!"
Kate Cameron,
DAILY NEWS

"Rowdy Fun! Good! Fast!"
Bowsley Crowther,
N. Y. TIMES

"Pace, suspense and excitement!"
Howard Barnes,
N. Y. HERALD TRIBUNE

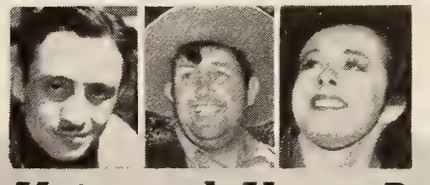
"Made by connoisseurs!"
Cecelia Ager, **PM**

"A sheer delight!"
William Boehnel,
N. Y. TELEGRAM

"Lively . . . entertaining!"
Rose Pelswick,
N. Y. JOURNAL

"Hasten over to the Rialto Theatre!"
Archer Winston, **N. Y. POST**

—DOING THE BIGGEST BUSINESS THAT THEATRE HAS DONE IN OVER A YEAR!



Don't Wait for Santa! Date Your Universal Xmas Present NOW!

"TRAIL of the VIGILANTES"

starring FRANCHOT TONE · WARREN WILLIAM · BROD CRAWFORD · ANDY DEVINE

MISCHA AUER · PORTER HALL · PEGGY MORAN

Original Screenplay by Harold Shumate
DIRECTED BY ALLAN DWAN

A UNIVERSAL PICTURE

Santa Fe Scene of Elaborate Opening

SANTE FE, N. M., Dec. 15.—Warners held the world premiere of "Santa Fe Trail" here at three theatres Saturday evening against a background of a three-day fiesta which ended tonight.

The celebration was attended by groups of players, press representatives and executives from New York and Hollywood, the Coast group headed by Errol Flynn and Olivia de Havilland.

State and local committees headed by Gov. John E. Miles and Mayor Alfredo Ortiz greeted the visitors at a reception Friday afternoon in the State Capitol here. A Fandango was held Friday in the La Fonda Hotel, with Miss de Havilland crowned Queen of Santa Fe by the City Council.

The Governor's grand ball was held Friday evening. The Saturday program included a sports carnival at the Santa Fe Ski Club in the morning, a parade in the afternoon and the premiere in the evening, with the stars appearing in person at the three theatres, the Lensic, Burro Alley and Paris. After the premiere a jubilee ball was held in Seth Hall. Today a farewell parade was followed by the departure of the two special trains, one heading back to Hollywood, the other to New York.

93.4% of Contracts Closed, Says Allied

(*Continued from page* 1)

independent exhibitors polled are closing their flat rental and guarantee deals on the same terms as last year or less; that exhibitors in territories where they are organized paid a lower percentage of the gross than in non-organized territory; that 12.1 per cent of all films sold were on percentage and 87.9 flat rental.

With the exception of M-G-M, the companies sold all-flat rental contracts, the report on these contracts being 42 per cent all-flat and 58 per cent with some percentage pictures, the AID said.

A breakdown of the percentage brackets was given to show that exhibitors generally are paying percentages which appear to be too high, according to the AID.

An analysis of cancellations showed that M-G-M permitted the greatest privileges and United Artists the least. It was also reported that 46.7 per cent of all short subject contracts are allegedly forced.

Court Continues Ban On Scranton Pickets

SCRANTON, Pa., Dec. 15.—Claiming that the AFL and CIO local operators' unions were contesting for jurisdictional control of collective bargaining and that there was no labor dispute at the theatre, Judge Will Leach of the Lackawanna County Court refused to rescind a no-picketing injunction issued against the I. A. T. S. E. local which was picketing the Bulls Head Theatre.

In his opinion the jurist criticized the actions of labor unions which "oppress other people" and also rapped the "hocus-pocus" involved in the setting up of some labor unions.

"Santa Fe Trail"

[Warners]

(*Continued from page* 1)

page soon to be written in American history, when brother is to be set against brother and friend against friend.

• • •

TECHNICAL production values of a high order contribute with marked effect to the work of an extremely competent cast. Although Errol Flynn, as the young officer at Leavenworth and Olivia de Havilland, daughter of the owner of a freight line running from Leavenworth to Santa Fe, New Mexico, over the Santa Fe trail, nominally head the cast, Raymond Massey stands head and shoulders above his fellow-players. As the fanatic, John Brown, he offers an imposing and impressive portrayal of the abolitionist leader, who deems himself to have been chosen by God to wipe out the curse of slavery which is cancerous in the body of the young nation. With fire and sword he wages his fight, and becomes a symbol of that sharp division which eventually leads to the Civil War.

Ronald Reagan, who plays George Custer to Flynn's Jeb Stuart, and is his companion; Alan Hale and Guinn Williams, who supply relieving comedy as freight line guards; Van Heflin, thrown out of West Point as the others graduate, who becomes Brown's military commander, for a price; Moroni Olsen, as Col. Robert E. Lee, commandant of West Point, who later leads the troops in the capture of John Brown after he takes the arsenal at Harper's Ferry, all contribute fine performances in the leading supporting roles.

• • •

THERE are high adventure and pleasant interludes of laughter and romance as the story leads from the graduation at West Point, through the first encounter of the troops with John Brown in Kansas, and the subsequent purusit of Brown, culminating in his betrayal by Heflin, his capture and hanging, and the marriage of Flynn and Miss de Havilland as the railroad is opened to Santa Fe.

Michael Curtiz scored with his direction of a fine script prepared by Robert Buckner.

Running time, 110 minutes. "G."* CHARLES S. AARONSON

** "G" denotes general classification.*

"The Lady in Question"

(Columbia)

A DOMESTIC comedy of rare charm and graced with performances of unusual understanding, "The Lady in Question" should please most adult audiences and deserves a good selling campaign.

All of the cast are good, homey people living simple lives until Brian Aherne leaves his bicycle shop to act as juror for a few days. He serves on a case where Rita Hayworth is on trial for murder. Largely on his insistence, she is acquitted. Aherne takes Miss Hayworth into his home without disclosing her identity, to help her reestablish her position in society, and it is at this point that the family complications start. Irene Rich, his wife; Glenn Ford, his son, and Evelyn Keyes, his daughter, suspect Aherne of intentions he does not possess.

The film is distinguished by a fine portrayal of casual habits of ordinary people. Aherne's interpretation of a shop keeper called for jury duty after waiting 27 years for such a call is a high spot in a picture with much fine acting. The direction by Charles Vidor captures much of the flavor of the better foreign films. The present story is based on "Heart of Paris," made originally in French. Edward Norris and Sumner Getchell deserve praise for their portrayal of smaller roles.

Lewis Meltzer wrote the screenplay from a story by Marcel Achard. B. B. Kahane produced. Although there is nothing objectionable in either the plot or dialogue, the nature of the story is directed toward mature audiences.

Running time, 81 minutes. "A."* EDWARD GREIF

** "A" denotes adult classification.*

Caldwell Has Own House

CLEVELAND, Dec. 15.—Wallace Caldwell has resigned as manager of Loew's Stillman here to operate his own house, the new Esquire in Toledo, O. Caldwell is president and general manager of Esquire Theatres, Inc.

Casting Film on Coast

Henry Weissman, former foreign film producer who is making a new version of Thornton Wilder's "The Bridge of San Luis Rey," left New York for Hollywood on Friday to sign a director, featured players and cast for the film.

Exhibitors at Odds In Fight with KRS

LONDON, Dec. 15.—Many London exhibitors have expressed dissatisfaction with the procedure of the General Council of the Cinematograph Exhibitors Association relative to the policy of the Kinematograph Renters Society (distributors) on theatres closed because of the war.

The dissatisfaction is evident despite the vigorous policy of opposition and non-cooperation decided upon at the C.E.A. General Council meeting in Wales earlier this week. It is contended here that although the C.E.A. attitude is emphatic on paper, it provides no machinery to implement is terms.

Many exhibitors who are considering refusing to supply the K.R.S. with the operation details to which the exhibitors object are asking what the C.E.A. will do to assist them if they do refuse. They will demand a concrete guarantee from the C.E.A. that the exhibitor organization will fight their cases legally if the K.R.S. makes an issue of any refusal to supply information.

Little 3 Plan to Attack U. S. Suit

(*Continued from page* 1)

City, Nashville and Buffalo suits, as well. Any of the latter three might be selected by the Government for trial first, because, having been filed two years ago, they are much nearer to trial than the Government's new action here. The Oklahoma City case is nearest of all to trial, according to the Government.

Somewhere along the line, and possibly in any one of the four pending suits, Columbia is expected to move for an appeal which will give it the opportunity to bring the consent decree before the U. S. Supreme Court for a test of its validity.

Louis D. Frohlich, of Schwartz & Frohlich, Columbia counsel, advised Federal Judge Henry W. Goddard at a recent hearing that it was his intention to bring the decree before the high court on appeal.

Porter Chosen Phila. Exchange Union Head

PHILADELPHIA, Dec. 15.—William Z. Porter, Monogram office manager and booker, was reelected president of the Film Exchange Employes' Union, Local 87, here Friday night. Others elected were: Fred Fortunate, vice-president; James McWilliams, recording and financial secretary; Marie Hause, treasurer; James A. Flynn, business agent; Al Homstock, sergeant-at-arms; Henrietta Weinberg, trustee. The new executive board includes Harry Bache, Charles Donahue, Charles Smith, James Keating, Anthony Blase, William McLaughlin, Peg Fogarty and Victoria Vanstory.

Hold Christmas Party

NEW HAVEN, Dec. 15.—Local B-41 of the exchange employes' union held its annual Christmas party Friday at the Baybrook Inn. Laura Villano was chairman, assisted by Dan Zipkin and Robert Hoffman.

$15,000 IN CASH PRIZES

TO 369 THEATRE MEN
WHO PUT ON
THE BEST CAMPAIGNS
FOR A SHOW
WORTH ALL
THE EFFORT!

A Thousand Laugh
Who Love



YOUR CHANCE TO CASH in two ways on a big promotion idea for a big show! . . . Go after one of these 369 CASH PRIZES, in the great showmanship contest on publicity, advertising and exploitation campaigns that tie in "Little Men" and "Elsie," the most famous cow in the world... the cow whose tons of publicity make her a real Hollywood "personality" . . . the bovine now being featured in big national magazine, newspaper and billboard campaigns . . . the contact that will put you in touch with your share of 525,000 retail dealers ready to co-operate. Learn all about it in the special press sheet; about the stills, stunts and tie-ups without end. Get started early and win one of those top cash prizes!



Contest begins November 1, 1940, and continues to, and including, April 15, 1941. The contest applies to all "Little Men" engagements opening within this period. All entries must be postmarked or sent not later than midnight, April 25, 1941. In the event of ties, duplicate prizes will be awarded. Full details available without cost at any RKO Exchange.

Here's the $15,000.00 as Cash Prizes

IN CITIES OF 100,000 OR OVER

FIRST RUN THEATRES

1st Prize	$500.00
2nd Prize	250.00
3rd Prize	100.00

Ten of $50.00 each

SUBSEQUENT RUN THEATRES

1st Prize	$250.00
2nd Prize	100.00

Ten of $50.00 each
Fifty of $25.00 each

IN CITIES OF 25,000 50 100,000

FIRST RUN THEATRES

1st Prize	$500.00
2nd Prize	250.00
3rd Prize	100.00

Five of $50.00 each
Ten of $25.00 each

SUBSEQUENT RUN THEATRES

1st Prize	$250.00
2nd Prize	100.00
3rd Prize	50.00

Seventy-five of $25.00 each

IN CITIES UNDER 25,000

ALL THEATRES

1st Prize	$500 00
2nd Prize	250.00
3rd Prize	100.00

Ten at $50.00 each
150 at $25.00 each

IN CANADA (ALL CITIES)

FIRST RUN THEATRES

1st Prize	$250.00
2nd Prize	100.00

Two of $50.00 each
Three of $25.00 each

SUBSEQUENT RUN THEATRES

1st Prize	$200.00
2nd Prize	100.00

Two of $50.00 each
Twelve of $25.00 each

RKO NATIONAL CIRCUIT

1st Prize	$400.00
2nd Prize	200.00
3rd Prize	100.00

Two of $50.00 each

RKO METROPOLITAN N.Y. CIRCUIT

1st Prize	$300.00
2nd Prize	200.00
3rd Prize	100.00

Four of $50.00 each

...nd Heart Throbs For All ...Little Women"



Streamlined to the screen from one of the most popular novels ever written . . . with two lovable rogues added to the most laughed- and cried-over group of folks ever caught between the covers of a book ... All as a million hearts have pictured them, all as millions more will love them . . . in a drama - suspense - excitement show with a box-office call in every one of its dozens of crowd-pleasing angles.



GENE TOWNE presents

Louisa May Alcott's

Little Men

with

KAY FRANCIS • JACK OAKIE • GEORGE BANCROFT

JIMMY LYDON • ANN GILLIS • CHARLES ESMOND and **"ELSIE"** (THE COW)

RKO RADIO PICTURES

Directed by **NORMAN Z. McLEOD**
Produced by **GENE TOWNE and GRAHAM BAKER**
Screen play by Mark Kelly and Arthur Caesar



THE PLAY'S THE THING





"A GIRL, A GUY AND A GOB," HAROLD LLOYD'S RKO PRODUCTION, NOW CUTTING . . .

Soon to be previewed preparatory to early release, is Harold Lloyd's production for RKO Radio, "A Girl, a Guy and a Gob," a riotous comedy-romance-drama featuring such players as George Murphy, Lucille Ball and Edmond O'Brien. The Hollywood tipoff is that the show has everything it takes for sensational popular entertainment—fast plot, uproarious situations and wise-cracking dialogue, with every scene touched with the movie magic of its producer, and its director, Richard Wallace.

Hollywood Reviews

"Chad Hanna"

(20th Century-Fox)

Hollywood, Dec. 15.

THIS is a story of circus life in the days of 1840 when tent shows drove from town to town, and the lady who rode the big horses bareback was the country bumpkin's conception of glamor personified. It is filmed in color, with stunning effects, and the subject fits the medium to a T. Henry Fonda is seen as the bumpkin in the case and Dorothy Lamour and Linda Darnell as the bareback riders, one a flirt, the other virtuous, of whom he is enamoured.

Written for the screen and produced by Nunnally Johnson, who did the same jobs for "Grapes of Wrath," the picture derives from Walter D. Edmonds' "Red Wheels Rolling," originally published in the *Saturday Evening Post*. The action takes place in various small towns along the route the circus plays in upstate New York, and includes battling between gangs of roustabouts, smuggling of slaves, economic difficulties affecting the career of the circus and its people, parades, performances under canvas, and some emotional passages, notably a bedroom episode played by Miss Lamour and Fonda, which suggests discouraging the attendance of the very young.

Supporting the three named are Guy Kibbee, Jane Darwell, John Carradine, Roscoe Ates, Ted North, Ben Carter, Frank Thomas, Olin Thomas and many another, the large cast running to types of wide variety.

Direction by Henry King is an influence for unity in a picture which, by reason of a narrative calling for steady shifting of scenes from town to town as the circus makes its way, is of necessity episodic.

Running time, 78 minutes. "A."* ROSCOE WILLIAMS.

**"A" denotes adult classification.*

"Behind the News"

(Republic)

Hollywood, Dec. 15.

"BEHIND the News" is the story of a star reporter, a cub reporter and a girl. The first is blase in his coverage of news; the cub, working on a big city newspaper for six months as a scholarship prize in college journalism, is enthusiastic, and the girl, secretary to the district attorney, is in love with the star reporter. The roles are played respectively by Lloyd Nolan, Frank Albertson and Doris Davenport, with Albertson walking off with the honors.

The cub insists upon following clues in which the escape of a criminal is engineered in order to have him slain, and an innocent man is being "railroaded" for the crime. He manages to enthuse the veteran newspaperman. The trail leads to Mexico where the climax takes place.

The screenplay by Isabel Dawn and Boyce DeGaw, who adapted the original story by Dore Schary and Allen Rivkin, mixes humor with action, although many of the lines are cliche. Joseph Santley directed, under associate producer Robert North.

The top trio is supported by Robert Armstrong, Paul Harvey, Charles Halton, Eddie Conrad, Harry Tyler, Dick Elliott, Archie Twitchell, Veda Ann Borg, Milton Parsons, Frank Puglia, Charles Stevens.

Running time, 73 minutes. "G."* VANCE KING.

**"G" denotes general classification.*

"Suez," Blackstone $18,000 in Baltimore

BALTIMORE, Dec. 15.—Business is feeling the pre-holiday slump only slightly. The Hippodrome was able to weather the situation for the past week by combining Blackstone, magician, with "South of Suez."

Estimated takings for the week ending Dec. 12:

"Little Nellie Kelly" (M-G-M)
CENTURY—(3,000) (15c-28c-44c) 7 days. Gross: $10,200. (Average, $10,000)
"Flowing Gold" (W. B.)
KEITH's—(2,406) (15c-28c-33c-44c) 7 days. Gross: $9,000. (Average, $9,000)
"Tin Pan Alley" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $7,000. (Average, $7,000)
"Lady With Red Hair" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $11,000. (Average, $12,000)
"South of Suez" (W. B.)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Blackstone, the magician, on the stage. Gross: $18,000. (Average, $14,000)

SMPE Meeting to Discuss Screens

New methods of cleaning screens will be outlined and demonstrated on Wednesday at the meeting of the Atlantic Coast Section of the Society of Motion Picture Engineers, by Robert O. Walker, president of the Walker American Corp., manufacturers of theatre screens, at Hotel Pennsylvania.

Mong Funeral Held

HOLLYWOOD, Dec. 15.—Funeral services were held here Friday for William C. Mong, 65, stage and screen actor, who died last Wednesday.

M-G-M Buys Original

HOLLYWOOD, Dec. 15.—M-G-M has bought "Mama's Angel," original story by Angna Enters, for production.

Showmanship Flashes

Voting Machines, Parade Aid 'Great McGinty'

PLYMOUTH, Pa., Dec. 15. — One week before the showing of "The Great McGinty" at the Shawnee Theatre, Managers William Roberts and William Keating had a voting booth in the lobby with patrons signing their names to ballots. On night prior to opening lucky persons were given tickets to picture. On opening day a street parade included the Plymouth High School band in uniform and 12 automobiles, including an open car in which rode Manager Roberts and man dressed as McGinty, in checkered suit, brown derby and cane.

Milking Contest Set For 'Little Men' Run

Denver, Dec. 15.—A milking contest in which 300 persons had entered was arranged for the first run of "Little Men," in which Elsie the cow is featured, at the Orpheum here. Mickey Gross, manager of the house, and Terry Turner, of RKO's exploitation department tied in with the Denver *Post* on the stunt. The contest was held on the stage.

Hold Showing in Plane Of 'Flight Command'

As part of the extensive and elaborate promotional campaign on M-G-M's "Flight Command," the film was previewed to newspaper men and aviation figures in a Pennsylvania Central Airline plane flying between Washington and Kitty Hawk, N. C., on Sunday. Ray Bell of Howard Dietz's publicity staff is handling the campaign from Washington on the "hemispheric premiere," to be held tomorrow, Pan-American Aviation Day, simultaneously in Washington, Havanna, Mexico City and Toronto.

Issue Mailing Piece on 'Cheers for Miss Bishop'

United Artists' publicity and advertising department has issued for exhibitors, circuit heads, newspapers and radio commentators the first of a series of mailing pieces on the Richard Rowland production, "Cheers for Miss Bishop."

Free Tickets to Red Heads In Promotion on 'The Lady'

San Francisco, Dec. 15.—A promotion stunt for all local red-haired women was staged by the Warfield Theatre for the showing of "The Lady With Red Hair." The City of Paris, downtown department store, ran ads in all four local papers announcing a pair of free guest tickets to the show for every red-haired patron in its beauty salon during the picture's run.

School Safety Posters In 'Sante Fe' Tieup

As part of the national safety campaign, Warners are distributing to 150,000 schools in the country posters urging safety, with a statement from Errol Flynn on safety, as a tieup on the Warner film, "Santa Fe Trail," in which Flynn is starred. "Santa Fe Trail" safety buttons have been prepared for distribution to school children by exhibitors.



SIDNEY MEYER, president, Wometco Theatres, Miami Beach, sends word: "Audience reaction . . . audience comments . . . very, very favorable!"

A COLUMBIA "QUIZ" REEL – NOW BOOKING

Radio Agency Bill for Year $25,000,000

Trade officials estimate that the radio industry paid $25,000,000 for advertising agency services during 1940. Estimates of the total amount expended by radio for talent during the year are not available, although that item of expense is conceded to be the largest of any.

From a standpoint of income, the year will be the best ever for the radio industry, with total billings for the three leading networks in excess of $88,000,000, it is estimated.

For the first 11 months of this year, NBC-Red grossed $36,168,421, NBC-Blue grossed $9,584,706, CBS grossed $37,205,560, and Mutual grossed $4,190,071.

In addition, the non-network billings total of the 450 network stations and of some 400 independents is not yet estimated.

Radio's "telephone" bill for leased wires is estimated at $5,000,000 for the year and its payments to power companies is estimated at $2,000,000.

To Retain Ogilvie In BBC Shakeup

LONDON, Dec. 15.—It is understood authoritatively here that Director General Ogilvie of the British Broadcasting Co. may not resign in the shakeup which is expected to follow the current Government inquiry into the network's operations, but may remain as head of the BBC entertainment activities.

It is also believed likely that the control of the corporation's political activities and broadcasts is due for a change, with the Ministry of Information and the Foreign Office dictating the revision.

One section of the Government is said to be in favor of the Minister of Information acting in the War Cabinet in control of all political broadcasts. A decision is expected shortly.

Off the Antenna

BALLOTS were mailed over the weekend to members of the New York local of the American Federation of Radio Artists to decide on the officers for 1941. It had been originally decided to hold the annual elections at the union's meeting last Thursday, but this was cancelled and the mail referendum was substituted. The ballots are due back in two weeks.

• • •

Purely Personal: *Dinty Doyle will be guest on "Where Are You From?" over WOR Wednesday at 8 P.M. . . . Jerry Sill, who has been handling promotion for CBS owned and operated stations, has been transferred to the station relations department where he will work under Herbert V. Akerberg, vice-president, to aid CBS affiliates in building their promotion campaigns. . . . Ezra Stone will be guest on "Time to Smile" over NBC-Red at 9 P.M.*

• • •

WLW, Cincinnati, will shift from its regular signal of 50,000 watts to an experimental power of 500,000 watts at midnight Christmas Eve to broadcast the midnight mass from the new Saints Peter's and Paul's Cathedral. Archbishop John T. McNichols will celebrate the Pontifical High Mass and will preach the Christmas sermon.

• • •

Perhaps to substitute for Irving Caesar's "Songs of Safety" which will leave WOR because of the Ascap ban Dec. 31, WOR over the weekend announced that it would launch a new safety program for children Thursday, at 5:15 P.M. Called "Play Safe," the program will feature March MacIntosh, who will explain what risks to avoid while indulging in sports.

• • •

Program News: *Ward Wheelock Co. has been appointed agency for Palmolive Soap in the United States. Colgate-Palmolive-Peet thus has three agencies with Ted Bates, Inc., handling five Colgate products and Sherman & Marquette five other products. . . . Dr. Louis Sunshine, who has produced several plays, is now conducting a series on plastic surgery over WOV Saturdays at 6:15 P.M. called "Your Face is Your Fortune." . . . Art Metal Works has released a dramatized spot campaign on behalf of Ronson Lighters. The programs, prepared by Basch Radio Productions, will be heard on 14 stations. . . . New business at WBNX includes Adam Hats, Fairmount Butter, Banco de Napoli Trust Co., Mt. Carmel Wine, Public Service Optical Co., Stanbach Headache Powders, Garcia Wines and Oca Pinkovals. . . . Lever Bros. has signed a 48-week contract for one-minute station break announcements over WHN. . . . NBC has added three new sponsors. Land o' Lakes Creameries will sponsor Edgar A. Guest over NBC-Blue Wednesdays, Thursdays and Fridays at 4:45 P.M., Benjamin Moore will bring back the "Betty Moore" series March 1 over NBC-Red Saturdays at 10.30 A.M. . . .* Newsweek *will sponsor "Ahead of the Headlines" over NBC-Blue, beginning Jan. 2, Thursdays at 10:30 P.M.*

Photographers to Dine

The Press Photographers Association of New York will hold its 12th annual dinner and entertainment Feb. 14 at the Hotel Astor. Joseph Heppner and Robert A. Wands are co-chairmen. Numerous screen, radio and stage personalities are being lined up for the program.

NBC Children's Party

The annual Christmas party for the children of NBC employes will be held at Studio 8-H in Radio City at 10 A.M. on Dec. 24.

First Air Defense Board Meet Jan. 6

Washington, Dec. 15.—Members of the Defense Communications Board have been summoned by Chairman James L. Fly for their first meeting here Jan. 6 to discuss general policies and procedure. The conference will be followed by organization of the separate committees. It is expected the board will quickly get down to its task of developing a program for the control of communications in time of war.

Seeks Approval for Philadelphia FM Unit

WASHINGTON, Dec. 15.—The Federal Communications Commission has been asked to issue a construction permit to the WFIL Broadcasting Co., for an FM station in Philadelphia to operate on 45,300 kilocycles, covering 10,900 square miles with a population of 4,760,200.

An application also was submitted by the Capital City Broadcasting Co., Inc., for a construction permit for a new 1,170-kilocycle, 5,000-watt daytime station at Topeka, Kan., with transmitter at Tecumseh, Kan.

Station KLRA, Little Rock, Ark., submitted a request for change of frequency from 1,390 to 1,010 kilocycles and increase of power from 5,000 to 50,000 watts.

TO THE MOTION PICTURE INDUSTRY:

The undersigned are the sole and exclusive owners of all distribution and exhibition rights in and to the motion picture entitled "ECSTASY".

NOTICE and WARNING are hereby given that any exhibition, distribution or other dealing with the said motion picture "ECSTASY" will be a violation and infringement of the property rights of the undersigned; that the undersigned will hold strictly accountable in damages any and all parties whomsoever who attempt or participate in such wrongful and unlawful exhibition, distribution or other dealing with the said motion picture entiled "ECSTASY".

Dated: December 11, 1940.

MICHAEL M. WYNGATE, INC.
MAX WEINGARTEN
236 West 59th Street
New York, N. Y.

Theatre Changes

Reopens in Minneapolis

MINNEAPOLIS, Dec. 15.—The Esquire Theatre, closed recently by Irving Gillman, has reopened under the management of the Mitch Theatre Corp., headed by Benjamin Berger, who has a circuit of 10 houses, including the Paradise here. Reno Wilk is manager of the house.

Plan Louisiana Theatre

NEW ORLEANS, Dec. 15.—Berenson's Theatres have purchased a site at Gretna, La., for a theatre on which construction is expected to begin in the Spring. The house will seat about 1,000.

Remodel One, Plan Second

KANSAS CITY, Dec. 15.—A. W. Heyl and C. B. Kelly, Wakeeny, Kan., co-owners of the Kaw at Junction City, Kan., have started remodeling the house to double the seating capacity to 1,400. In addition, the two have taken over the Community House in Junction City, a community recreational center until the new Municipal Auditorium was built, and will remodel it into a theatre.

Remodeling Iowa Theatre

NEWTON, Ia., Dec. 15.—Robert M. Johnson, operator of the Iowa Theatre here, has started remodeling operations that include taking in the adjoining building.

Named Warner Assistant

CHESTER, Pa., Dec. 15.—Hy Highfield, assistant manager at Warners' Stanley here, has been transferred to the Warner at Wilmington, Del., as assistant.

Takes Pennsylvania Theatre

MARCUS HOOK, Pa., Dec. 15.—Harry Dembow, who operates the Globe, has taken over the town's only other theatre, the Koff-Munzer Congress.

Lewis to Grand, Columbus

CLEVELAND, Dec. 15.—Leon Lewis of the RKO 105th Street here has been promoted to treasurer and assistant manager of the Grand in Columbus.

Manages Canadian House

MONTREAL, Dec 15.—United Amusements Corp., Ltd., has named William H. Wright, formerly of the Monkland Theatre, as manager of the Rialto, succeeding B. M. Garfield, now manager of the Rialto Theatre Building.

Photophone Deals Closed

The following theatres have closed sound equipment deals with RCA Photophone: Fairfax and Pearl, Jacksonville, and the Florida, Tallahassee; Cambria, Johnstown, Pa.; Melba, Batesville, Ark.; H. & H., Bowdle, S. D.; Aztec, Aztec, N. M.; Cotton Boll, Westville, Ariz., and the Texas, Brownwood, Tex.

Purchases Simplex Equipment

National Theatre Supply Co. has sold Simplex sound equipment to the new Paramount Beach Theatre, which will open during Christmas week at Miami Beach.

Critics' Quotes . . .

"THIRD FINGER, LEFT HAND" (M-G-M)

Has a preposterous amusing central idea, but it grows less preposterous and less amusing from one sequence to another.—*Howard Barnes, New York Herald Tribune.*

A pleasant comedy that would be much pleasanter if it didn't overstay its welcome. It runs for an hour and 40 minutes, which is much too long for this sort of fluff.—*Kate Cameron, New York Daily News.*

A lot of hilarious complications.—*Lee Mortimer, New York Daily Mirror.*

A trifling but sometimes amusing distortion of life.—*Bosley Crowther, New York Times.*

Melvyn Douglas is an attractive comedy foil for Miss Loy. They have many amusing scenes and a half hour cut in the running time would liven things up even more.—*Prunella Hall, Boston Post.*

Guaranteed as a perfect example of the sort of entertainment that will strain no one's intellectual powers, it is easy to look at, particularly when Miss Loy is present, and if it permits the attention to wander a bit, it is still good for quite a number of laughs.—*Elinor Hughes, Boston Herald.*

"A DISPATCH FROM REUTER'S" (Warners)

Gives evidence of all the pains and care put into the making of it. The acting is first-rate, the settings are effective and William Dieterle's direction is adequate.—*Wanda Hale, New York Daily News.*

Though generally interesting, the film is only occasionally stimulating . . . on the whole, it is a creditable job and, like William Dieterle's previous excursions into the biographical, the production is handsomely mounted and the story flows smoothly.—*Bosley Crowther, New York Times.*

The Warners have given Edward G. Robinson a fat and rewarding role in Reuter and his performance justifies their good judgment . . . its story runs smoothly, if not always with complete realism.—*Robert W. Dana, New York Herald Tribune.*

Truth and fiction mingle together to make a good story, even if neither Robinson nor Edna Best is convincing.—*C. J. Bulliet, Chicago Daily News.*

Has been told with diginity and drama . . . exciting and exceptionally well done.—*Chicago Herald-American.*

Not nearly so absorbing as some of the other biographies turned out by Warner Brothers . . . an interesting account of the career of an interesting and ambitious man.—*Doris Arden, Chicago Daily Times.*

"LADY WITH RED HAIR" (Warners)

Out of a welter of stock theatrical characters, only Rain's David Belasco and a blustering boarding house keeper played by Helen Westley emerge entertainingly.—*Time.*

The chief appeal of "Lady With Red Hair" will be to oldsters who remember Mrs. Carter and Mr. Belasco and to those to whom the theatre has an irresistible lure. Others, we feel, will find it a reasonably entertaining story, told leisurely and in episodic form.—*Norman Clark, Baltimore News Post.*

No motion picture has captured the flavor of the stage more truly and only the deficiencies in plot and the unwillingness to tell the whole truth about the subjects, keep this from ranking with the year's best offerings.—*Donald Kirkley, Baltimore Morning Sun.*

Can be recommended by this bureau only with a cowardly and evasive yes-and-no.—*Gilbert Kanour, Baltimore Evening Sun.*

"YOU'LL FIND OUT" (RKO)

An irresistible blend of mystery, music and merriment, it kept the audience alternately shivering and shouting throughout its unreeling. . . . Of a certainty, this box-office sure-thing should be cause for thanksgiving every day on the part of the satisfied management.—*Peggy Doyle, Boston American.*

Put together with no other purpose than to entertain the audience, the second Kay Kyser achieves its intentions with high success.—*Providence Journal.*

"TRAIL OF THE VIGILANTES" (Universal)

An odd mixture of straight horse opera and burlesque. Sometimes the action is good, sometimes the burlesque is sly and comical, but the line between has not been drawn with sufficient sharpness.—*Donald Kirkley, Baltimore Morning Sun.*

Occasionally the spectators find themselves laughing when its events are supposed to be grave and tragic. But no matter, "Trail of the Vigilantes" may be included with the best of cinema fun, and we believe our readers will enjoy it. We did, hugely.—*Gilbert Kanour, Baltimore Evening Sun.*

"CHRISTMAS IN JULY" (Paramount)

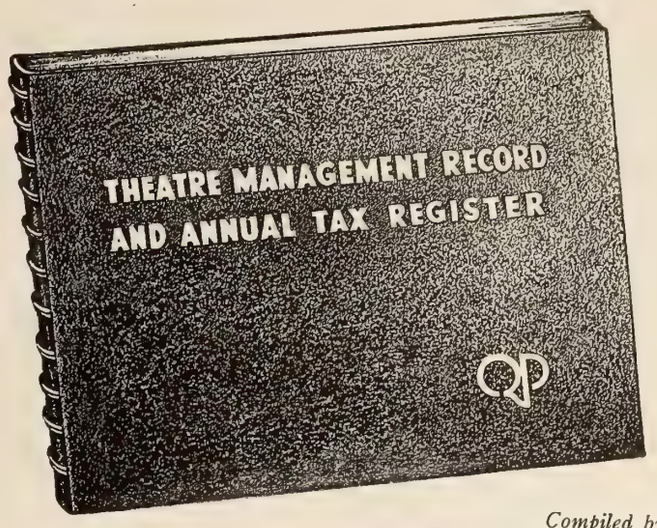
Just one delightful little picture. So human. . . . It will be of absorbing interest to anybody who has ever participated in a prize contest—and the world is full of such.—*Chicago Tribune.*

An ideal film through its whole bright course . . . the fun crackles and the pathos is not overdone.—*C. J. Bulliet, Chicago Daily News.*

"THE LONG VOYAGE HOME" (Wanger-United Artists)

The kind of photoplay upon which the reviewer would like to heap his repertory of superlatives.—*Henry T. Murdock, Philadelphia Ledger.*

The cast is magnificent . . . ranks with "The Informer" and "The Grapes of Wrath."—*Laura Lee, Philadelphia Bulletin.*



Compiled by
THEODORE J. SULLIVAN

GUARD AGAINST LOSSES AVOID TAX TROUBLES

THIS NEW EASY ACCOUNTING SYSTEM DEVISED EXPRESSLY FOR EXHIBITORS

TIME-SAVING
ACCURATE
SIMPLE

$2.00 POSTPAID

INDIVIDUAL SECTIONS FOR EVERY ITEM

■ Just published for the first time, ***Theatre Management Record and Annual Tax Register,*** meets the urgent need of exhibitors for a simplified theatre bookkeeping system. Devised to cover all operating data, the Record enables you to keep a complete and up-to-the-minute account of every phase of your business without any bookkeeping experience. Exhibitors, this accounting system has been compiled expressly for your convenience. It is designed particularly for your needs and is a self-operating safeguard against losses and tax troubles. Once tried, you will be amazed at its utter simplicity. Order today and take advantage of the special introductory price.

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER NEW YORK

RESERVE POWER

CAMERAMEN depend on the extra ability of each Eastman negative film to meet inevitable emergencies, and by so doing to help maintain exacting shooting schedules. This reserve power always has distinguished Eastman raw films. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*

Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and ... Impartial

VOL. 48. NO. 118 NEW YORK, U. S. A., TUESDAY, DECEMBER 17, 1940 TEN CENTS

...3K
...R
...TCA,
...44TH ST.,
N... YORK, N. Y.

U.S. Seeks to Revise Ascap License Basis

Radio Would Be Put on a 'Per Use' Rating

WASHINGTON, Dec. 16.—While details of the proposed settlement of the Government's six-year old anti-trust suit against Ascap are being closely guarded, the Department of Justice is said in informed circles here to be working toward a revision of Ascap's license structure which would put broadcasting stations on a "per use" basis instead of being required to pay a percentage on all commercial business, as at present.

The suggested settlement, it was said, would include adoption of a system under which the networks would pay Ascap on chain programs instead of the individual stations.

Such a settlement, if it materializes, might eliminate many of the elements which contributed to the present warfare between Ascap and the networks, officials believe, and present a formula for settlement of the dispute.

Department officials said negotiations have been under way for some

(*Continued on page 6*)

Ernest Kent Dies; S. R. Kent's Brother

HOLLYWOOD, Dec. 16.—Ernest Kent, 58, brother of S. R. Kent, president of 20th Century-Fox, died instantly here this morning in a head-on automobile collision. He was maintenance supervisor for Fox West Coast. Survivors are his widow, Bessie; his mother and two other brothers, Larry, film buyer for Fox West Coast, and Arthur, a Washington attorney.

Another Fox West Coast death today was that of Bert Osterman, 49, real estate representative in Northern California, who died of a heart attack.

Klein Is Reelected Bookers Club Head

Harold Klein of the Cocalis circuit was reelected president of the Motion Picture Bookers Club at a meeting at the Hotel Lincoln last night. Leon Greenfield of the Boro Hall, Brooklyn, was elected vice-president.

Others elected were: treasurer, Benjamin Levine, United Artists;

(*Continued on page 6*)

Petrillo Lifts Ban on Army Bands; Assured on Jobs

The ban on Army music over the networks, imposed over the weekend by James C. Petrillo, American Federation of Musicians president, was lifted yesterday. Petrillo explained that the major networks had given assurances that broadcasts by army bands would not result in reduced employment for musicians at the studios.

Petrillo did not explain what those assurances were or why he ordered Army music out of a Mutual program Sunday when there was no immediate threat of any musicians being discharged. He said that the move generally was intended to forestall any loss of employment for union members.

He explained that he had always granted specific waivers when networks had requested permission to use Army bands on a designated program but that he was compelled to refuse when the networks came to him for a general waiver on all programs. However, when assurances were forthcoming that no studio would reduce its present staff of musicians he agreed to permit such programs to go on the air. The agreement affects commercial as well as sustaining shows, Petrillo said.

Petrillo explained that he had acted originally under his agreement with the networks that all music was to be played by A.F.M. members only, and had threatened to call out his union members if the networks proceeded to use Army music. A telegram to Petrillo from S. T. Ansell, the union's general counsel, set forth the history of disputes about use of Army bands for private purposes.

Out of State Firms Liable for Wis. Tax

Washington, Dec. 16.—Out-of-state corporations doing business in Wisconsin today were held by the Supreme Court to be liable to the Wisconsin tax of two and one-half per cent on dividends paid out of income derived from business in the state, By a five-to-four decision, the court reversed an opinion of the Wisconsin Supreme Court holding that the tax applied only to dividends paid by domestic companies.

Weekend Grosses Up After Slow Midweek

Broadway first run grosses again rose over the weekend after a poor midweek take. Rain yesterday, however, caused box-offices to slump once more.

"Thief of Bagdad" with a stage show at the Radio City Music Hall was the biggest draw over the weekend with an estimated $50,000 for the first four days of the second week. "No, No, Nanette" will open there Thursday. "Third Finger, Left Hand" was strong at the Capitol and should finish its week tonight with an esti-

(*Continued on page 6*)

Work Being Completed on 18 Arbitration Field Units

Preliminary work on the establishment of local arbitration boards for the industry will have been completed in 18 of the 31 exchange cities by the end of the week.

The work being done includes the listing and investigation of prospective arbitrators for the local panels, the inspection of office locations for the tribunals, interviewing of resident clerks for the boards and the like.

This work has been completed in 14 exchange centers by J. Noble Braden, executive secretary of the American Arbitration Association. He left New York last night for Minneapolis, and also will visit Chicago, Milwaukee and Cleveland before returning to New York next Monday. The cities he has visited already are : Los Angeles, San

(*Continued on page 6*)

Fox Wisconsin Wins Suit Over Contract

MILWAUKEE, Dec. 16.—Circuit Judge Gustave G. Gehrz here today ordered judgment for Fox Wisconsin Amusement Co. in an action against it by the Oriental and Tower theatre companies. The plaintiffs had charged breach of contract during the three years the circuit had operated the two houses by waiving clearance on films in favor of Fox's Shorewood and State theatres.

The court held that Fox Wisconsin had faithfully performed its duties and obligations toward the plaintiffs and that the matter of waiver of clearance

(*Continued on page 6*)

Affiliates to Benefit from Franchises

Existing Film Contracts Protect 'Big Five'

Affiliated circuits, which are not prevented by the consent decree from obtaining the entire output of their production affiliate and which have franchises with one or more of the other consenting companies, will need to buy from only two or three companies under the new block-of-five system, circuit officials pointed out yesterday.

To this extent, the 'Big Five' affiliated circuits will find the new buying method less bothersome than the independent without film franchises, it was said.

Such an operator, if he wanted the product of all five consenting companies, would be obliged to obtain all of it by the decree buying method.

The disruption of existing clearance schedules which may result under the decree is giving the large circuits more concern than is the problem of buying product under the new system. Several of the consenting distribution companies are reported to be already trying to negotiate clearance adjust-

(*Continued on page 6*)

Nazi Outbreak Halts Mexico City Showing

MEXICO CITY, Dec. 16.—The second Nazi outbreak within a fortnight disrupted the exhibition of "The Man I Married" 20th Century-Fox film, in eight subsequent run theatres here yesterday. Tear gas and stench bombs were thrown and the trouble makers yelled "Heil, Hitler!" "Down With England" and "This picture is unfair!"

The gangs fled before police arrived. After an investigation the police declared that the trouble-makers were Reich legation hirelings.

Reviewed Today

"Victory" and "South of Suez" are reviewed from Hollywood on Page 4. A Coast review of "Misbehaving Husbands" and a New York review of "The Living Dead" are on Page 6.

Coast Flashes

Hollywood, Dec. 16.

WILLIAM A. SCULLY, Universal general sales manager, and Joseph H. Seidelman, foreign sales manager, arrived today for product conferences with Nate J. Blumberg, president, and Cliff Work, production head. They expect to remain two weeks.

•

Dave Lipton, recently appointed advertising and publicity director for Columbia, moved into the studio today for two weeks before reporting to the home office in New York on Jan. 2.

•

After producing one picture at Paramount, Gene Markey moved over today to Columbia on a term production deal to make three pictures a year. The first will be "The Great Lady," from his own magazine story. Jean Arthur and Melvyn Douglas are tentatively set as the leads. Markey produced "You're the One" for Paramount, where he went after leaving 20th Century-Fox.

•

"Sioux City," novel by J. Hyatt Downing, has been purchased by 20th Century-Fox, it was disclosed today. Randolph Scott and Laird Cregar will be featured in the color film. The story deals with the settling of the Midwest.

•

Douglas Yates, film editor at Republic, today was appointed assistant to Producer Albert J. Cohen.

'Command' to Open In 4 Cities Tonight

M-G-M will hold a "hemispheric" premiere tonight of "Flight Command," with the film shown simultaneously to invited audiences in Washington, Toronto, Havana and Mexico City. The opening of the naval aviation film is coincidental with the celebration of Pan-American Aviation Day, set aside by Congressional resolution.

In Washington, the premiere at Loew's Capitol, under the auspices of the National Aeronautic Association, will be preceded by a banquet at the Hotel Carlton.

Howard Dietz, M-G-M director of advertising and publicity, will be toastmaster at the banquet. Scheduled to attend are Admiral Harold Stark, Chief of Naval Operations; Gen. George C. Marshall, Army Chief of Staff, and Dr. Leo S. Rowe, director-general of the Pan-American Union. Walter Pidgeon of the film's cast, will attend, as will Adeline Cox, selected as the nation's prettiest airline hostess. The banquet addresses will be broadcast over a Mutual hookup, starting at 7:15 P.M.

MacDonald Rites Held

COLUMBUS, Dec. 16.—Funeral services for Clarence A. MacDonald, 44, head of the MacDonald circuit and director of the Ohio Independent Theatre Owners, were held today at the First Community Church with burial following at the Union Cemetery. He died Friday at the University Hospital of a heart ailment. His widow, a son and a daughter survive.

Personal Mention

MR. and MRS. JOSEPH I. BREEN are in town from the Coast.

•

JOSEPH HAZEN, general counsel for Warners, is due today with MRS. HAZEN from a trip to the Coast and to Santa Fe, N. M.

•

J. CHEEVER COWDIN, Universal board chairman, who planned to leave for the Coast Sunday, changed his plans because of bad flying weather. He is now awaiting plane accommodations.

•

WILLIAM DORFMAN, RKO studio executive, leaves for Hollywood today from Scranton, Pa.

•

F. J. A. MCCARTHY, Eastern division manager for Universal, left last night for Toronto, to confer with Empire-Universal executives.

•

MORRIS WOLF, attorney for Warner Theatres in Philadelphia, has been elected president of the Federation of Jewish Charities. He is also honorary president of the Allied Jewish Appeal.

•

MRS. FRED QUATRANO of the Lido, Waterbury, is recuperating at St. Vincent's Hospital, Bridgeport, after an operation.

•

MRS. J. FRED OSTERSTOCK, manager of Wilmer & Vincent's Embassy, Easton, Pa., is recovering at her home from a serious illness.

•

JAMES GATELY, booker for Republic in St. Louis, is ill with influenza.

JOHN BALABAN, DAVE BALABAN and WALTER IMMERMAN, all of B. & K., Chicago, are here for Paramount home office conferences.

•

HUNTER PERRY, Virginia circuit operator, is in New York from Charlottesville.

•

JOSEPH MOSKOWITZ, HAL HORNE and GREGORY RATOFF having lunch at Lindy's (51st St.).

•

CHARLES M. REAGAN, MILTON KUSELL, ED SAUNDERS, RUSSELL HOLMAN, JOHN W. HICKS and SIDNEY PHILLIPS at Nick's Hunting Room in the Astor for lunch yesterday.

•

ADOLPH ZUKOR, BARNEY BALABAN, AUSTIN KEOUGH, LOUIS PHILLIPS, LEONARD GOLDENSON, FRANK PHELPS and BROCK PEMBERTON lunching yesterday at Sardi's.

•

MONROE GREENTHAL, AL MARGOLIES, WILLIAM FITELSON, MAURICE FREEMAN, JACK MILLS, EMANUEL SILVERSTONE, HARRY BUCKLEY and SAM CITRON at the Tavern yesterday for lunch.

•

THOMAS SPECK, manager of the Trans-Lux, Philadelphia, and his bride have returned from a honeymoon in the South.

•

STANLEY FRIEDMAN, son of HARRY FRIEDMAN, owner of the Lansdowne, Philadelphia, will celebrate his Bar Mitzvah next Saturday.

Buffalo Variety Club Headed by Lehman

BUFFALO, Dec. 16.—Sydney Lehman, Buffalo branch manager for United Artists, has been elected chief barker of the local Variety Club, succeeding Robert T. Murphy, who becomes a three-year member of the board of directors.

Other officers are Stanley Kozanowski, first assistant chief barker, George F. Hanny, Jr., second assistant; W. E. J. Martin, secretary and treasurer. The board includes Irving Fried, Phil Fox, Elmer F. Lux, Sydney Samson, Ralph W. Maw, Melvin Schwartz, Murray Whiteman and Jacob Lavene.

Ampa Planning 25th Anniversary Fete

Plans for a 25th anniversary celebration will be discussed at an Ampa business meeting to be held Friday in the College room of the Hotel Edison. A vote will be taken on proposed changes in the organization's constitution, on which mail ballots were sent out recently. Leon J. Bamberger, president, has called a directors' meeting for 12:30, prior to the membership luncheon.

Schaefer to Coast Again in January

George J. Schaefer, RKO president, plans to return to the Coast after the holidays for a stay of probably several months at the RKO studio. Schaefer arrived in New York from Hollywood yesterday after spending a month at the studio.

Gran Named Head Of Milwaukee Club

MILWAUKEE, Dec. 16.—L. F. Gran has been elected chief barker of the local Variety Club, succeeding Oscar Olson. Harold J. Fitzgerald has been named first assistant chief barker; Alfred D. Kvool, second assistant; B. J. Miller, reelected secretary, and Arthur N. Schmitz, treasurer.

Named to the board of governors are Fitzgerald, Gran, Kvool, H. J. Mirisch, George Fischer, Roy Pierce, Harry McDonald, Edward Alperson and Oscar J. Ruby, Columbia. Holdover members of the board are Olson, Sam Shurman, E. J. Weisfeldt, and Charles W. Trampe.

Thomas Replacing Lipton at Universal

HOLLYWOOD, Dec. 16.—Dan Thomas, veteran newspaper and publicity man, over the weekend was appointed by John Joseph, Universal publicity and advertising director, to take charge of studio publicity, succeeding Dave Lipton, who has joined Columbia.

Eugene Murphy will supervise sales and exhibition activities of the department at Universal.

Grainger Heads West

James R. Grainger, Republic president, left last night for the West. He will stop off at Chicago, Des Moines, Omaha and San Francisco and remain through the holidays on the Coast. Mrs. Grainger left with him and will proceed direct to Los Angeles. He is due back about Jan. 11.

Real Charity

Minneapolis, Dec. 16.—The Twin City Variety Club gave two special ultra-violet ray lamps to the Lymanhurst Health Center here, clinic for handicapped children. Ben Blotcky, chief barker, and J. M. Podoloff, treasurer, made the presentation.

Amended Complaint Hearing January 7

A motion to dismiss the Government's amended complaint against United Artists and Universal was filed in U. S. District court here yesterday by Edward C. Raftery of O'Brien, Driscoll & Raftery, and hearing was set for Jan. 7 before Federal Judge Henry W. Goddard.

The motion asks dismissal of the Government's complaint for failure to state a cause of action.

If the motion is denied, Raftery, who is counsel for both United Artists and Universal in the anti-trust suit proceedings, asks that references in the Government's complaint to the five consenting companies be stricken out as well as other sections of the complaint which, he contends, have no application whatever to the non-consenting companies.

Columbia, also a defendant in the Government's new action, is expected to follow a similar procedure in the near future.

Paramount-Richards Managers at Party

BILOXI, Miss., Dec. 16.—Fifty-six managers of Paramount-Richards Theatres, Inc., from Louisiana, Arkansas, Mississippi, Alabama and Florida, accompanied by their wives, were entertained at a banquet at the Edgewater Gulf Hotel, climaxing a two-day entertainment program.

E. V. Richards of New Orleans, president, and Mrs. Richards were in attendance. Other guests were Mayor and Mrs. Louis Braun, Biloxi, and Mayor Joseph W. Milner, Gulfport. There were about 140 guests.

Brazee District Head

MILWAUKEE, Dec. 16.—Marcel Brazee, formerly with Warners in Chicago, has been named district manager for the circuit here.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

A SALUTE TO
North, Central and South
AMERICA

President Roosevelt has designated today as

PAN-AMERICAN AVIATION DAY





THE TIES that bind us together in the Americas were never closer. This is a day of hemispheric patriotism.

The motion picture industry plays its part. As you read these words gallant pilots are winging their way through the air with prints of FLIGHT COMMAND (the new Metro-Goldwyn-Mayer picture starring Robert Taylor) to Toronto, to Washington, to Havana, to Mexico City and on down through the capitals of all Central and South American countries. Banquets will be held preceding the simultaneous international preview.

Watch for FLIGHT COMMAND! It is unquestionably a momentous achievement in the drama of the skies. Remember M-G-M's "Hell Divers"? "Test Pilot"?

You'll never forget FLIGHT COMMAND.

ABOVE: *Newspaper advertising dramatizes an important film event from Coast to Coast!*

THIS AD APPEARS TODAY IN 43 PAPERS!

Something *new* in launching a Film Premiere and of course M-G-M does it first! Direct box-office tie-up! Practical linking of a front-page story of national importance with M-G-M's new giant entertainment! When "Flight Command" comes to your theatre it's preceded by promotion that sells tickets in advance. Friendly Company, friendly to your box-office!

With the gratefully acknowledged cooperation of the United States Navy, Metro-Goldwyn-Mayer presents ROBERT TAYLOR in "FLIGHT COMMAND" with Ruth Hussey, Walter Pidgeon, Paul Kelly, Shepperd Strudwick, Nat Pendleton. A Frank Borzage Production. Screen Play by Wells Root and Commander Harvey Haislip. An M-G-M Picture. Directed by FRANK BORZAGE. Produced by J. WALTER RUBEN

Richey Urges Cooperation With Decree

OKLAHOMA CITY, Dec. 16.—Exhibitors should face the fact that the consent decree will be with the industry until 1942, at least, and should approach it with the idea of getting the most good out of it and of improving sections which, in practice, may prove to be unworkable, H. M. Richey, assistant to Willam F. Rodgers, M-G-M general sales manager, told the Theatre Owners of Oklahoma convention at the Skirvin Hotel here today.

Morris Loewenstein, president of the organization, was in charge of the meeting. Ed Kuykendall, M.P.T.O.A. president, also discussed the decree and its probable effects on theatre operations.

M-G-M to Abide 100%

Richey told the meeting that M-G-M will live up to both the letter and the spirit of the decree and hopes, through it, to improve the relationships between exhibitors and distributors. The company, he said, hopes to be able to say at the end of the first year that it was not necessary for a single exhibitor to bring an arbitration case against the company.

Richey urged the exhibitors to greater showmanship efforts to keep the industry in the favor of the amusement seeking public and, also, as their part in the essential task of overcoming the industry's foreign market losses.

To Hear Exhibitors' Side in British Fight

LONDON, Dec. 16.—The Kinematograph Renters Society (distributors) will meet with representatives of the Cinematograph Exhibitors Association, probably before Christmas, to hear the exhibitor objections to the distributor policy on theatres closed by the war.

The C. E. A., following the General Council meeting last week, approached the distributors, suggesting conversations to cover the theatre policy, supplies of films for troops and the question of Sunday operation. Joint action is planned on the Sunday opening issue.

Sam Smith, K. R. S. president, who will preside at a full membership meeting of the K. R. S. tomorrow, expressed the readiness of the organization to seek an agreement on the theatre policy. The general belief in trade circles here is that the issue ultimately will be settled, probably by some compromise arrangement.

F. & M. Wins Action

ST. LOUIS, Dec. 16.—A decree awarding $33,500 to Fanchon & Marco, Inc., and two affiliates in their suit against three St. Louis lawyers has been entered by Circuit Judge Joseph J. Ward in St. Louis. The lawyers are John S. Leahy, Lambert W. Walther and Harold F. Hecker. The decree orders that 215 notes for $200 each executed by F. & M. in 1936 and payable to Leahy, be canceled and annulled.

Hollywood Reviews

"Victory"

(Paramount)

Hollywood, Dec. 16.

THIS filmization of the Joseph Conrad novel follows closely the mood created by the book, although changing the ending of the story.

The John Balderston screenplay keeps intact the essential story thread of a man whose constant betrayal at the hands of his associates has driven him to spend his days on a lonely island. He takes with him a girl musician, member of a touring band, who has been "sold" to a repulsive hotel-keeper, and who turns to the story's protagonist for protection.

The hotel-keeper, burning for revenge, tells a trio of crooks operating in the Dutch East Indies territory of the island, and of the money he mistakenly believes is hidden there. There the trio goes, to be killed off one by one, as the girl and the man discover their love for one another, and the man achieves his "victory" in finding that he can really love and trust another human being.

Photography by Leo Tover, and art direction by Hans Dreier and Robert Usher, combine with John Cromwell's direction to create the atmosphere of brooding suspense and terror which are of such moment to the story itself.

The acting in all departments indicates thorough understanding of the script, with Frederic March as the embittered hero, Betty Field as the girl, Sir Cedric Hardwicke as the blase, ruthless and cold-blooded leader of the thieves and murderers, Jerome Cowan and Lionel Royce as his aides, Sig Rumann as the hotel-keeper and Margaret Wycherly as his wife, rendered almost immobile by fear of her husband; Fritz Feld as the band leader and Rafaela Ottiano as his wife, just as brutal as her mate. The picture was produced by Anthony Veiller.

Running time, 80 minutes. "A." * W. S.

* *"A" denotes adult classification.*

"South of Suez"

(Warners)

HOLLYWOOD, Dec. 16.—Opening in the African diamond fields, where a murder and other episodes of violence occur, and moving on to England, town and countryside, to work out the complications stemming from the slaying, this Sheridan Gibney story, adapted by Barry Trivers in a manner making for tension throughout the telling, covers a wide range of melodramatics. Central figure in the picture is George Brent, the cast including Brenda Marshall, Lee Patrick, Eric Blore, George Tobias, Miles Mander, James Stephenson, Cecil Kellaway and many others.

Accused of the murder of his partner and unable to prove his innocence, Brent, diamond miner, flees Africa, carrying a fortune in gems, and establishes himself under an alias as a successful capitalist, seeking the while his dead partner's daughter with view to giving her the share of his wealth due her. Finding her after five years, he learns she has dedicated her life to seeing her father's supposed murderer punished. They fall in love and he, unable to reveal his true identity to her lest he lose her affection, identifies a slain man as himself. The deceit is detected and he stands trial for two murders, a surprise ending vindicating him and adjusting the romantic equation.

Produced by William Jacobs and directed by Lewis Seiler, the film stacks up as staple audience material, stronger in plot than most melodramas of contemporary manufacture.

Running time, 87 minutes. "G." * ROSCOE WILLIAMS

* *"G" denotes general classification.*

Minnesota Theatre May Be Reopened

MINNEAPOLIS, Dec. 16.—The Minnesota Theatre, which has been dark nearly a year, may be reopened New Year's Eve with a policy of vaudeville and motion pictures.

Attorneys for the Minneapolis Theater Co., owners, are preparing to petition Walter H. Newton, Federal referee in bankruptcy here, to call a meeting of creditors of the bankrupt firm to consider the deal. Under the arrangement, the theatre would be operated by the Middle States Corp., operating theatres in Milwaukee.

N. S. Sunday Shows Set for Services

HALIFAX, N. S., Dec. 16.—A modified plan for opening local theatres on Sunday nights has been approved officially by the City Council. Under the changed arrangements, the public will not be admitted unless as guests of members of the uniformed forces or of sailors from commercial vessels.

Each of these men is entitled to one civilian guest, of either sex, but the guest must be adult. The Sunday theatre operations have been given much attention for over six months, and with the local ministers furnishing strong opposition.

Cuban Houses Close if Law Is Retained

Theatres in Cuba will be forced to close New Year's Eve if the island's anti-block booking law is not amended or repealed by the end of this week, home office foreign departments stated yesterday.

All film contracts of American companies in Cuba are made for the calendar year, so contracts will expire at midnight, Dec. 31. No contracts for single pictures to be delivered on or after Jan. 1 under the Cuban anti-block booking law have been made by the major companies.

None for January Delivery

Foreign departments here pointed out that since no pictures have been sold for January delivery in Cuba, no prints have been made or ordered yet. The time required to obtain prints, the time needed for shipping them to Cuba and for the pictures to be seen there by the censor board and permits issued, would make it virtually impossible to get pictures on Cuban screens if contracts were made later than this week, it was said.

Negotiations for amendment of the Cuban law, which would be acceptable to the circuits, independents and distributors, have been in progress in Havana for some time.

Legion Approves Twelve New Films

Twelve of the 15 new films reviewed this week by the National Legion of Decency were approved, six for general patronage and six for adults. One was found objectionable in part and two were condemned. The new pictures and their classification follow:

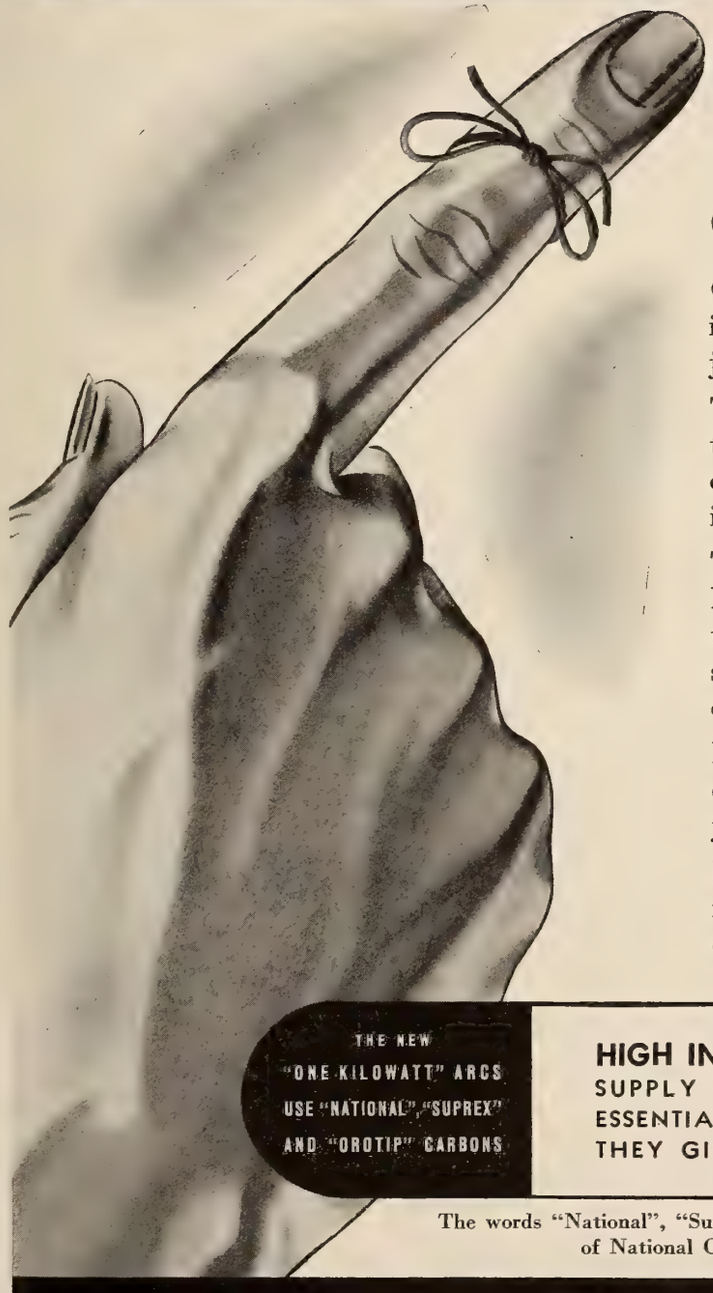
Class A-1, Unobjectionable for General Patronage—"Beyond the Sacramento," "It's in the Air," "Lone Wolf Keeps a Date," "Santa Fe Trail," "Trail of the Vigilantes," "West of Pinto Basin." Class A-2, Unobjectionable for Adults—"Bank Dick," "Chad Hanna," "Comrade X," "Escape to Glory," "Michael Shayne, Private Detective," "San Francisco Docks." Class B, Objectionable in Part—"Philadelphia Story." Class C, Condemned—"Kiss of Fire," "Lash of the Penitentes."

Ohio Game Test Suit Awaits State Ruling

MIDDLETOWN, O., Dec. 16.—Pending a decision by the Ohio Supreme Court in Columbus, on the legality of games in the appealed case of Troy Amusement Co., against which suit was brought by a taxpayer to discontinue games at the Mayflower, in Troy, Common Pleas Judge Fred B. Cramer at Hamilton will defer action in a local case to test the validity of an anti-gambling ordinance put into effect Oct. 5.

The city solicitor has filed motion seeking to dissolve a temporary injunction granted Northio Theatres, Inc., in which local police are restrained from making threatened arrests of persons purchasing admission tickets to participate in a game at the Paramount.

Remember This!



PATRONS PAY TO *See* THE PICTURE

● The surest way to keep your patronage in the profit range is to use the best projection light available.

That means *High Intensity* projection—the light of daylight quality—that insures clear, comfortable vision of the fast moving, colorful modern productions.

The new "One Kilowatt" arcs now bring High Intensity projection to the small theatre—50% more light than Low Intensity projection at no increase in operating cost.

Installation costs are so low that no theatre can afford to be without this modern projection light.

Let your patrons SEE your pictures with maximum enjoyment. Satisfied patrons come again and bring others.

THE NEW "ONE-KILOWATT" ARCS USE "NATIONAL", "SUPREX" AND "OROTIP" CARBONS

HIGH INTENSITY CARBON ARC LAMPS
SUPPLY ALL THE SPECTRAL COLORS IN ESSENTIALLY EVEN BALANCE. THAT IS WHY THEY GIVE TRUE COLOR REPRODUCTION.

The words "National", "Suprex" and "Orotip" are trade-marks of National Carbon Company, Inc.

NATIONAL CARBON COMPANY, INC.
Unit of Union Carbide and Carbon Corporation
UCC

Carbon Sales Division, Cleveland, Ohio
GENERAL OFFICES
30 East 42nd Street, New York, N. Y.
BRANCH SALES OFFICES
New York, Pittsburgh, Chicago, St. Louis, San Francisco

Studios Have 41 New Films Now Shooting

HOLLYWOOD, Dec. 16. — Forty-one pictures were before the cameras this week, as seven finished and five started. Thirteen are being prepared, and 62 are being edited.

The tally by studio:

Columbia

Finished: "Blondie Goes Latin," "The Devil Commands."

In Work: "Penny Serenade," "The Return of Boston Blackie."

Lesser-Lubitsch

In Work: "That Uncertain Feeling."

M-G-M

In Work: "The Ziegfeld Girl," "Men of Boys Town," "The Bad Man," "Fools Rush In."

Started: "Billy the Kid."

Producers Releasing

In Work: "Secret Evidence," "The Lone Rider Galloping to Glory," "It Happened to Me."

Monogram

In Work: "You're Out of Luck."

Paramount

Finished: "The Lady Eve," "Border Vigilantes."

In Work: "I Wanted Wings," "The Road to Zanzibar," "New York Town," "Las Vegas Nights."

Started: "Pirates on Horseback."

RKO

Finished: "Prodigy."

In Work: "Scattergood Baines," "They Met in Argentina."

Republic

In Work: "Ridin' on a Rainbow," "Arkansaw Judge."

Roach

In Work: "Topper Returns."

20th Century-Fox

Finished: "Tall, Dark and Handsome."

In Work: "Murder Among Friends," "The Road to Rio," "Sleepers West," "Tobacco Road," "Uncensored," "The Outlaw."

Universal

Started: "Buck Privates."

In Work: "Back Street," "Nice Girl," "The Mysterious Dr. R," "Six Lessons from Madame La Zonga."

Warners

Finished: "Here Comes Happiness."

In Work: "Strawberry Blonde," "Her Great Lie," "The Sea Wolf," "Knockout," "Stuff of Heroes," "She Stayed Kissed."

Started: "Murder on the Second Floor."

Globe

Started: "Pot O' Gold."

Klein Is Reelected Bookers Club Head

(*Continued from page* 1)

financial secretary, Peter Saglembeni, Warners; recording secretary, Pearl Elsohn, Republic; trustees, Bernard Brooks of Rosenblatt-Welt circuit and Jack Gelber of Interboro circuit; directors, Jeanette Dennett, Republic, Max Fried, Century circuit, Harry Margolies, M-G-M, and Gelber; sergeant-at-arms, Moe Rose, M-G-M.

Feature Reviews

"Misbehaving Husbands"

(*Producers Releasing Corp.*)

HOLLYWOOD, Dec. 16—Produced by Jed Buell and directed by William Beaudine with a fine apportionment of audience values, this comedy of domestic complications, divorce and reconciliation, affords an hour of solid entertainment. Presenting Harry Langdon as an absent-minded business man caught up in a swirl of circumstances making him appear unfaithful to his wife of twenty years, the story proceeds steadily and by logical steps through a series of events which keep its audience chuckling, laughing out loud in the high points and satisfied throughout.

Supporting Langdon in what is easily his best performance in years, incidentally one that could launch him on a new career in a new type of portrayal, are Betty Blythe, Ralph Byrd, Esther Muir, Gayne Whitman, Florence Wright, Luana Walters, Frank Jacquet and others.

The screenplay by Vernon Smith and Claire Parrish, from a story by Cea Sabin, is a trim job of composition effective in its steady hold on audience interest.

Running time, 65 minutes. "G."* ROSCOE WILLIAMS

*"*G*" *denotes general classification.*

"The Living Dead"

(*Hoffberg Productions, Inc.*)

An adaptation of the horror tales of Edgar Allan Poe, "The Black Cat" and "Dr Tarr and Prof. Feather," and Stevenson's fantastic "The Suicide Club," this is an extremely imaginative screenplay impaired somewhat by the loosely woven structure of the plot.

Made in Germany eight years ago, English titles make the film adequately comprehensible to audiences here. Gabriel Pascal produced and Richard Oswald directed. Oswald also adapted.

German players, unknown here, enact the story with the principal, Paul Wegener, particularly effective. The tale opens with the discovery of an inventor's dead wife, murdered by her husband, and concealed behind a wall. The murderer escapes and becomes the president of a suicide club, the members of which draw cards to determine who will kill himself. He eventually is captured by a newspaper reporter.

The picture is far too gruesome to rate as children's entertainment.

Running time, 85 minutes. "A."*

*"*A*" *denotes adult classification.*

To Fight Restriction On Sunday Showing

PALMYRA, N. J., Dec. 16.—Although Sunday film showings were voted here on Nov. 5, the City Council passed an ordinance restricting the showing of pictures on the Sabbath and it is reported that local theatre men, joining with sport interests, are contemplating a suit contesting the restricting law.

Among other things, the ordinance provides that motion pictures may be shown here on Sundays only between the hours of 1 and 6 P. M. and 9 and 11.15 P. M.; that "special inducements" like prizes or the lowering of admissions are prohibited; and that all motion pictures shown on a Sunday must also be exhibited on a week day.

Affiliates To Gain By Term Franchises

(*Continued from page* 1)

ments with the large circuits, in order to eliminate insofar as possible the chances of the distributor being drawn into arbitration cases over clearance later.

Reduced clearances may come either from this direction, from the new buying method when it becomes operative, or from arbitration decisions. Many large circuit operators fear that revisions of clearances will bring about general admission price reductions by houses deprived of clearance.

Completing Work on Arbitration Units

(*Continued from page* 1)

Francisco, Seattle, Portland, Salt Lake City, Denver, Omaha, Des Moines, Kansas City, Oklahoma City, Dallas, St. Louis, Indianapolis, Cincinnati and Pittsburgh.

Final approval and selection of arbitrators for the local panels from the lists being compiled by Braden will be made by the A.A.A. arbitration committee next month.

Braden will visit Southern exchange cities after the holidays. The preliminary organization work on the local boards for the Eastern district is being handled directly from A.A.A. headquarters here.

Gets Attachment on G.B.

A writ of attachment for $31,487 was obtained by Patrick J. Monaghan yesterday against Gaumont British Corp., Ltd., in N. Y. Supreme Court. Monaghan has filed suit for the amount as assignee of a judgment obtained by Constance Bennett against the company in 1938 for alleged breach of contract.

Heads Exchange Union

ST. LOUIS, Dec. 16.—Louis Lovate has been reelected business agent for Local B-L of the exchange employes union. The presidency will be decided at an election Dec. 28.

Weekend Grosses Up After Slow Midweek

(*Continued from page* 1)

mated $30,000, with "Dr. Kildare's Crisis" scheduled to open tomorrow.

"Tin Pan Alley," on its fourth week, with a stage show at the Roxy was also good with an estimated $19,500 for the first four days. "One Night in the Tropics" will open at the Roxy Thursday.

At the Paramount, "Moon Over Burma" with Ray Herbeck's band on the stage took an estimated $16,000 over the weekend and should bring an estimated $33,000 for the first week. The run will end at 5 P.M. today in order to permit the opening of "Love Thy Neighbor" with Tommy Dorsey's band at 8:30 P.M.

At the Rivoli, "Little Men" grossed only an estimated $12,500 for its first week. "Victory" will open at the Rivoli Saturday. "Trail of the Vigilantes" took an estimated $11,000 for its first week at the Rialto and should gross an estimated $4,000 for the extra five days which end tonight. "Ellery Queen, Master Detective" will open there tomorrow. "A Dispatch from Reuter's" should bring an estimated $6,000 for its week at the Globe which ends tonight.

At the Strand, the first three days of the fourth week for "The Letter," with Ozzie Nelson's band and Humphrey Bogart on the stage, grossed an estimated $17,000. "Santa Fe Trail" will open there Friday.

U. S. Seeks Revision Of Ascap Fees Basis

(*Continued from page* 1)

time in both New York and Washington, but that nothing definite has been developed yet.

Ascap Admits Negotiations

Ascap officials who last week denied that negotiations for a "consent decree" settlement of the long pending Government anti-trust suit were in progress, yesterday admitted that negotiations for a settlement of the suit are and have been under way.

"It might be more accurate to say that such negotiations never have been stopped," one Ascap executive said. "However, what will come of them, or whether anything will come of them, cannot be predicted at this stage," he said.

Fox Wisconisn Wins Suit Over Contract

(*Continued from page* 1)

was vested in Fox Wisconsin and they could use their own discretion in the matter.

The court held further that the defendant's action did not result in damage to the Oriental and Tower theatres and that no damages were shown. The theatre properties are controlled by a subsidiary of M. L. Annenberg.

Representing Fox Wisconsin in the suit as counsel was Frederick W. R. Pride of the New York firm of Dwight, Harris, Koegel and Caskey, attorneys for 20th Century-Fox Film Corp.

Building House in Pa.

MIDDLETOWN, Pa., Dec. 16.—Harry Chertoff, owner of the local Elks, is building a new house for the town.

Academy Awards Committees Named

HOLLYWOOD, Dec. 16.—Walter Wanger, president of the Academy of Motion Picture Arts and Sciences, has appointed a number of committees to consider rules for the various technical awards and to recommend detailed rules to be used to govern these awards for this period.

Rules for the sound recording award will be handled by a committee consisting of John Aalberg, chairman; Bernard B. Brown, E. H. Hansen, Nathan Levinson, John Livadary, C. L. Lootens, Thomas Moulton, Elmer Raguse, Loren Ryder and Douglas Shearer.

Four Other Groups

Other committees:

Art direction award rules: Jack Otterson, chairman; Lionel Banks, McClure Capps, Ernst Fegte, Cedric Gibbons, A. Golitzen, Danny Hill, Al Herman, John V. Mackay, Hans Peters and Bert Teitelbaum.

Film editing award rules: Harold McCord, chairman; Anne Bauchens, Martin Cohn, Gene Milford, Murry Seldeen, Blanche Sewell and I. James Wilkinson.

Cinematographic awards rules: Ray Wilkinson, chairman; John Arnold, Joseph August, Norbert Brodine, Dan Clark, Edward Cronjager, Arthur Edeson, William Eglinton, George Folsey, Jr., Fred Gage, Merritt B. Gerstad, C. Roy Hunter, Thomas Ingman, Ray June, Sidney Lund, E. B. McGreal, George B. Meehan, Jr., Russell Metty, Virgil Miller, Victor Milner, Ira Morgan, L. William O'Connell, Emil Oster, Roy Overbaugh, George Robinson, Roy Seawright, George Seid, Karl Struss, Allen Thompson, Joseph Valentine, Joseph Walker, Vernon Walker and Lester White.

Edouart Heads Special Effects

Special effect award rules: Farciot Edouart, chairman; Fred Albin, Lionel Banks, James Basevi, John Cosgrove, John Fulton, Arnold Gillespie, Byron Haskin, Bernard Herzbrun, Kenneth Lambert, Harry Leonard, Louis Mesenkop, Jack Otterson, Elmer Raguse, Roy Seawright, Fred Sersen, Hal Shaw, James Stewart, S. J. Twining and Vernon Walker.

Greer Reelected by Columbus Operators

COLUMBUS, Dec. 16.—Robert W. Greer has been re-elected president of Local 386 of the operators union. The elections were held at the annual December meeting of the union. Other officers are: Lafe Wareham, vice-president; Thomas W. Wright, secretary and treasurer; Russell V. Stewart, financial treasurer; Edward J. Smart, recording secretary; Ronald E. Stoneburner, business representative; Harry E. Coleman, Joseph Neuvirth and Ned R. Welch, trustees, and Thomas E. Bennett, sergeant-at-arms. The newly elected officers will serve for two years starting Jan. 1.

RKO Builds Exchange

PHILADELPHIA, Dec. 16.—RKO is building a new exchange here at a cost of approximately $70,000. The exchange building will contain offices, storage room and preview room.

Columbia, 20th-Fox Have New Series in Production

Hollywood, Dec. 16.

TWO new series of pictures are in production. Columbia announced its intention of making a group of films based on "Boston Blackie," engaging confidence man created by JACK BOYLE, and 20th Century-Fox has decided to produce a group of films based on the adventures of "Michael Shayne," fictional detective, of which two already have been finished.

CHESTER MORRIS will star in the "Blackie" films, first of which is "The Return of Boston Blackie," which RALPH COHN is producing and ROBERT FLOREY directing. The Boyle writings were highly popular two decades ago.

Twentieth Century-Fox has purchased "The Dead Take No Bows," novel by RICHARD BURKE. BRET HALLIDAY created the "Michael Shayne" character which first appeared in "Michael Shayne, Private Detective" and "Sleepers West," 20th Century-Fox films.

• •

Republic will produce "The Great Train Robbery," described as a streamlined action special, from an original story by GARRETT WESTON and ROBERT SHANNON. JOSEPH KANE will produce and direct. . . . M-G-M's "The Bad Man" has been re-titled "Pancho Lopez, the Bad Man." . . . BRUCE LESTER has been given the lead in "Murder on the Second Floor," opposite HEATHER ANGEL, at Warners. . . . Monogram has effected a tieup with Welch's Grape Juice for exploitation of its "Queen of the Yukon."

• •

Jane Frazee, under contract to Republic for two more pictures, has been given a term deal at Universal. . . . Reinhold Schunzel has been signed by Alexander Korda to direct "New Wine," starring Ilona Massey. . . . Jean Rouverol Edmund C. Reed and David Sheppard have been given junior writer contracts at M-G-M. . . . Earl Baldwin, loaned by Warners, is writing an original musical screen story, "He's My Uncle," for Columbia. It will have a conscription background.

• •

VEDA ANN BORG draws the feminine lead of Republic's "Arkansaw Judge." . . . The next "Higgins Family" picture at Republic will be "Petticoat Politics," which ERLE C. KENTON will direct. ROSCOE KARNS, RUTH DONNELLY, SPENCER CHARTERS, LOIS RANSON and GEORGE ERNEXT are the members of the screen family. . . . Warners has extended the contract of EDMUND GOULDING, producer. . . . GEORGE AMY, film editor at Warners, has been elevated to short subject director. . . . Co-stars of "And Now Goodbye" at Columbia will be BRIAN AHERNE and JOAN FONTAINE.

• •

M-G-M has decided upon a remake of "The Trial of Mary Dugan," and will star LARAINE DAY in the title role. EDWIN KNOPF will produce. . . . Warners has signed WILLIAM TILDEN, former tennis champion, to star in a short subject. . . . GEORGE HOUSTON will sing four songs in "The Lone Rider Galloping to Victory," first of six musical westerns to be produced by SIGMUND NEUFELD for Producers Releasing Corp. . . . KENNETH HARLAN has been added to the cast of "Secret Evidence" at the same company. . . . Warners has purchased HATTIE MCDANIEL'S contract from DAVID O. SELZNICK. . . . GEORGE WEEK'S next "Range Busters" western for Monogram will have LUANA WALTERS as the feminine lead, with RAY CORRIGAN, MAX TERHUNE and JOHN KING in the starring roles.

• •

Patricia Morison joins the cast of Paramount's "One Night in Lisbon." . . . Herbert Wilcox, producing and directing "Sunny," Anna Neagle vehicle at RKO, has signed Edward Everett Horton, Ray Bolger and Paul and Grace Hartman for supporting roles. . . . C. B. DeMille will have Robert Preston and Lynne Overman in "Reap the Wild Wind." . . . Gertrude Niesen has a one picture deal with Universal. . . . With Guy Kibbee in the title role, "Scattergood Baines," being produced by Jerry Brandt for RKO release, is under way.

• •

Warner's has given JACK CARSON a term contract as the result of his work in "Strawberry Blonde." . . . WILLIAM K. HOWARD will direct "Bad Men of Missouri," which deals with the Younger, Dalton and James Boys, at Warners. . . . HAROLD WILSON, former associate producer at 20th Century-Fox, has joined Paramount as associate producer, attached to the SOL C. SIEGEL unit.

• •

KATHRYN GRAYSON, 17-year-old singer, will be given an important role in "Andy Hardy's Private Secretary," at M-G-M. . . . GEORGE SEITZ will direct. . . . BINNIE BARNES will be cast in Paramount's "Skylark," starring CLAUDETTE COLBERT and RAY MILLAND, with MARK SANDRICH producing and directing. . . . Miss Colbert's contract has been extended until 1943.

'Philadelphia' Gets $12,200, Milwaukee

MILWAUKEE, Dec. 16.—"The Philadelphia Story" and "Dr. Kildare's Crisis," at raised admissions, did $12,200 at Fox's Wisconsin. "So You Won't Talk" and Lawrence Welk's orchestra at the Riverside took $10,000.

Estimated takings for the week ending Dec. 10-12:

"Escape to Glory" (Col.)
"Christmas in July" (Para.)
PALACE—(2,400) (30c-40c-55c) 5 days. Gross: $3,000. (Average, $4,000)
"So You Won't Talk" (Col.)
RIVERSIDE—(2,700) (33c-44c) 7 days. Stage: Lawrence Welk's orchestra. Gross: $10,000. (Average, $6,500)
"Bitter Sweet" (M-G-M)
"Mystery Sea Raider" (Para.)
STRAND—(1,400) (30c-40c-55c) 7 days. Gross: $1,500. (Average, $1,500)
"You'll Find Out" (RKO)
"Captain Caution" (U. A.)
WARNER—(2,400) (30c-40c-55c) 8 days. Gross: $6,000. (Average, $4,500)
"The Philadelphia Story" (M-G-M)
"Dr. Kildare's Crisis" (M-G-M)
WISCONSIN—(3,200) (44c-65c) 7 days. Gross: $12,200. (Average, $5,500)



Loew's Booth Gift To Army on WHN

Ceremonies at the formal presentation of the M-G-M World's Fair booth at Times Square to the Army for a recruiting station will be broadcast over WHN tomorrow. The ceremonies will take place at 1 P. M., but WHN will broadcast them at 2 P. M. via transcription. Speakers include Col. E. B. Pierson, Borough President Stanley Isaacs, Howard Dietz, director of M-G-M advertising and publicity, and Col. John Reed Kilpatrick, head of Madison Square Garden.

High Court Refuses Record Suit Review

WASHINGTON, Dec. 16.—The U. S. Supreme Court today refused to review a decision of the Second Circuit Court of Appeals holding that restrictive notices on phonograph records do not make their broadcasting unfair competition.

The court rejected petitions of Paul Whiteman and RCA Manufacturing Co. for review of the case, which involved the broadcasting of Whiteman records by WBO Broadcasting Corp.

The District Court held that restrictive notices on records were sufficient to prohibit broadcasting, but the Circuit Court reversed the decision, on the ground that the sale of the records constituted publication thereof and the restrictive use notices did not create an obligation upon the purchaser.

Committees Named By Milwaukee Unit

MILWAUKEE, Dec. 16.—Committee appointments for the year 1940-'41 have been made by William L. Ainsworth, president of the I.T.P.A. of Wisconsin and Upper Michigan, Inc. They include:

Legislative, Charles W. Trampe, chairman; F. J. McWilliams, Henry Ringling, John P. Adler and Milton Ellis; convention, Trampe, chairman; Bert Nathan and Oliver Schmidt; finance, A. C. Gutenberg, chairman; Oliver Trampe and A. C. Berkholtz; membership, Mark Morgan, Mrs. Frank Eckardt and George Langheinrich. Louis Orlove, publicity man for M-G-M in this territory, is in charge of the association's publicity.

Maurice Clarke Killed

ROCHESTER, Dec. 16.—Maurice H. Clarke, 39, WHEC chief engineer, was killed yesterday when his car struck a railroad bridge abutment. Clarke was technical consultant to the Gannett Co. radio division and has been chief engineer for WHEC since 1922.

Singer Sues Columbia

Columbia Pictures was sued for $100,000 damages yesterday in N. Y. Supreme Court by Minnie Saltzman-Stevens, former Wagnerian soprano. She claims Columbia unauthorizedly used her photograph in a sequence of the film "I'll Take Romance." Columbia has entered a general denial.

Off the Antenna

THERE has not been a single complaint from any local of the American Federation of Musicians on the negotiation of contracts with independent stations and network affiliates around the country, James C. Petrillo, president, reported yesterday. Petrillo declared that the method, having proven satisfactory, would be continued. Commenting on the ASCAP-BMI situation, Petrillo reiterated that the A.F.M. would not intervene unless asked to do so. "I hope the thing will be settled," he added.

• • •

Purely Personal: *Eddie Cantor will be heard over WNEW tonight at 9:45 P.M. in an appeal for the British War Relief Society. . . . Wynthrop Orr and William Willgus yesterday joined NBC as directors. . . . James F. Burke has been named assistant director of the CBS program department. . . . Billy Rose will be guest on the Lanny Ross show over CBS tomorrow evening at 7:15. . . . Burgess Meredith will fly from the Coast to New York to appear on the "Helen Hayes Theatre" over CBS Sunday at 8 P.M. . . . Ralph Edwards, master of ceremonies on "Truth or Consequences" is writing a book of the same title. His program moved into first place among quiz shows in the latest Crossley.*

• • •

Fred Mears, formerly with NBC press, and now assistant to Lester Gottlieb, Mutual's publicity director, will resign from that network Jan. 7, to join the Naval Reserve Flight Training Corps at Pensacola, Jan. 15.

• • •

Mutual disclosed yesterday that four more stations, KWK, St. Louis, WNOE, New Orleans, WMOB, Mobile, Ala., and WHBB, Selma, Ala., will join the network Jan. 1 in addition to WDEF, Chattanooga, and WBIR, Knoxville, Tenn., which were previously announced. The new stations, according to Mutual, will make the network's programs available to an additional 1,500,000 listeners.

KWK, heretofore a part time Mutual outlet, in addition to NBC-Blue, becomes a full time affiliate. The station operates with 5,000 watts full time on 1,350 k.c.; WNOE has 250 watts, 1,420 k.c.; WMOB, 250 watts, 1,200 k.c., and WHBB, 100 watts, 1,500 k.c. Total number of affiliates will be 168.

• • •

Program News: *Sterling Products has renewed "Orphans of Divorce" and "Amanda of Honeymoon Hill" over 45 NBC-Blue stations effective Jan. 13 for 52 weeks. Both are heard Mondays through Fridays, the former at 3 P.M. and the latter at 3:15. . . . The Ben Bernie show moves to the Coast after its next broadcast and Eddie Cantor will also be heard from Hollywood beginning Christmas Day.*

• • •

The annual Christmas party for children of WOR employes will be given at the studio Saturday morning. Bob Emery, assisted by Santa Claus, will preside. The festivities will be broadcast between 10:30 A.M. and 10:45 A.M. A group of English refugee children will be special guests.

Theatre Changes

Shift Warner Managers

ALBANY, Dec. 16.—Two managers have been shifted following the recent death of William Haynes, who managed Warners' Stanley in Utica. Jules E. M. Curley, zone advertising head, becomes manager of the first run Strand here, while Andrew M. Roy moves from the Strand to the Stanley, Utica.

Plan Illinois Theatres

ST. LOUIS, Dec. 16.—The Frisina Circuit has announced plans to build a new subsequent run house outside Decatur, Ill., to cost $120,000. The circuit operates in Southern Illinois and has houses in Missouri.

Buys House in Charlotte

CHARLOTTE, N. C., Dec. 16.—H. H. Everette Enterprises, Inc., has acquired the Beaufort here from R. G. Lang.

Warners to Reopen Two

SOUTH MANCHESTER, Conn., Dec. 16.—Warner's will reopen the State, South Manchester and Rialto, South Norwalk, on Christmas Day, after renovations.

Plan New Texas Theatre

BEAUMONT, Tex., Dec. 16.—A new theatre is being built here. The new house will be called the Ritz.

Shift Fox West Coast Men

SAN FRANCISCO, Dec. 16.—Howard J. Moody, treasurer of the Fox Theatre, has been promoted to manager of the new Carlos Theatre in suburban San Carlos. Albert Mooney has been promoted from chief of service to Moody's former post. Richard Warfield has been shifted from manager of the Warfield to manager of the New Rialto.

Takes San Francisco House

SAN FRANCISCO, Dec. 16.—Joseph Meyer, long identified with theatrical and radio enterprises here, will take over the Tivoli Theatre on Christmas Day to show films and stage shows.

Building New Kansas Theatre

KANSAS CITY, Dec. 16.—Don Phillips, who operates the Lyric at Colby, Kan., is building a new theatre there. George Nescher of the Rio, Valley Falls, Kan., is supervising construction of the Phillips Theatre.

Buy Theatre in Georgia

LUMPKIN, Ga., Dec. 16.—Cowart and Shingler, who own several theatres in this section, have sold the Lumpkin Theatre to Herman Abrams of Atlanta. The house has been under the management of Mr. and Mrs. Calvin Cowart since the first of the year.

Irwin Shaw Play Will Open Tonight

A new comedy by Irwin Shaw, "Retreat to Pleasure," opens tonight at the Belasco with Leif Erickson, Edith Atwater, Hume Cronyn, John Emery and Helen Ford in the principal roles. The play is a Group Theatre production.

Miller Challenges View of Educators

Neville Miller, president of the National Association of Broadcasters and BMI, yesterday challenged the committee of Ascap music educators on a statement that important modern music would be barred from the networks after Jan. 1. The committee was formed over the weekend.

Miller asserted that Ascap had no control over symphonies, operas, dramatic music and other original compositions. "The rights to symphonies are in no way under the control of Ascap," he declared, "and are directly negotiated between the broadcasters and composers or between the broadcasters and the publishers."

Miller pointed out that the right to play Gershwin's "Rhapsody in Blue" in full is a grand right and that Ascap has no control over it because Ascap controls only small rights.

Celebrate 'Wife' Run

Joe Malcolm, Nat Sanders and Gilbert Josephson were hosts at a luncheon yesterday celebrating the first anniversary of the run of "The Baker's Wife" at the World Theatre. Among those present were Eric von Stroheim, Arthur Garfield Hays, Jules Romains, Irene Thirer, Glendon Allvine and William Boehnel.

Renew Wage Contract

ST. LOUIS, Dec. 16.—Renewal of a wage contract between Local 143 of the Operators' Union and Harry Holloway, owner of the Gem, Oakland and Beverly, three neighborhood suburban houses here, ended a labor dispute which closed the houses briefly last week.

Reserves RKO Decision

Decision on an application by Helen Twelvetrees for a temporary injunction to restrain RKO from distributing "I'm Still Alive" was reserved yesterday by N. Y. Supreme Court Justice Ferdinand A. Pecora. She seeks $100,000 damages, claiming the film is based on her life.

Booker Transferred

SEATTLE, Dec. 16.—Ed Cruzea of Monogram's Portland exchange has moved to Seattle and will succeed Al Harris as head booker of the local branch. George Jackson, of this city, moves to Portland to fill Cruzea's former post.

Fined for Sunday Films

HATTIESBURG, Miss., Dec. 16.—Robert Sigler, Royal theatre manager, was fined $25 for violating the Sunday laws after his lawyer, F. M. Morris entered a technical plea of nolo contendre.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

Alert and Impartial

M. P. PRODUCERS & DISTRIBUTORS OF AM., INC
28 WEST 44TH ST.,
NEW YORK,
N. Y.

13 COPIES

VOL. 48. NO. 119 NEW YORK, U. S. A., WEDNESDAY, DECEMBER 18, 1940 TEN CENTS

No Blanket Exemptions For Actors

Draft Deferment Only When Essential

Actors as a class are not entitled to deferment or exemption in the draft, and it is up to the local boards to decide whether an applicant may receive consideration on the claim that he is essential.

This official ruling was given by Col. Arthur V. McDermott, director of the New York Selective Board, to Alfred Harding, representing Actors Equity, at a conference yesterday.

Col. McDermott said that actors are entitled to no consideration in the decisions of the draft boards other than whether they are needed for a play.

Harding said after his meeting with McDermott that Equity had not sought any special consideration for actors but wanted to know how the regulations would be applied. In reply, Col. McDermott stated that if an actor's services were essential he would be deferred as would any other employe in any other industry. Such deferment, however, would have to come

(*Continued on page* 5)

Benny-Allen Draw Big Opening Crowd

Paramount took over Broadway last night with the world premiere of the Jack Benny-Fred Allen musical picture, "Love Thy Neighbor," at the Paramount Theatre.

The event drew thousands of persons to the theatre, with 40 policemen on hand to keep order.

The opening at 8:30 was preceded by a cocktail party and dance for the press with the two stars and

(*Continued on page* 5)

Ranking Officers at 'Command' Opening

WASHINGTON, Dec. 17.—A distinguished audience, including the high ranking officers of the Army and Navy, attended the key opening of M-G-M's "Flight Command" at Loew's Capitol here tonight, following a banquet at the Hotel Carlton.

The premiere here was one of four in Metro's "hemispheric" opening of the naval aviation film, on Pan-American Aviation Day, with openings in

(*Continued on page* 5)

Loew's, U.A. to Give Christmas Bonuses

Loew's - M-G-M yesterday announced a Christmas bonus for 5,700 employes. Those receiving $40 a week or less and been employed a year will get two weeks' salary, not to exceed $50. Those employed six months will get one week's salary, not to exceed $25.

Maurice Silverstone, U.A. chief executive, announced that an estimated 95 per cent of the company's employes in the United States will be eligible for a bonus approved by the directors yesterday.

British Currency Details are Set

LONDON, Dec. 17.—All details of the new monetary agreement between the Government and the American distribution companies have been agreed upon and formal approval by the American companies is expected here before Christmas.

London representatives of the American companies are awaiting advices from their home offices on the dollar allotment which they will be authorized to remit. The total allowed all eight major companies is $12,800,000.

American independents distributing here have not yet been informed of the Government's exchange intentions applicable to them. Following formal approval of the agreement with the major companies, the independent distributors are expected to receive individual permits from Whitehall.

BMI-ASCAP WAR SPREADING OUT

Broadcasters Reject Arbitration of Ascap Contract; M-G-M Music Company Becomes Involved; CBS Deadline Now Dec. 26

As the National Association of Broadcasters yesterday rejected the offer of the American Arbitration Association to mediate the music dispute in the event of an Ascap consent decree or a contract covering trade practices, the "war" between the broadcasters and Ascap flared on several new fronts.

Jack Robbins, chairman of the board of Robbins Music Co., an M-G-M affiliate, threatened to resign his post unless M-G-M agreed to sign with Ascap.

Westinghouse Manufacturing & Electric Co. cancelled "Musical Americana," leading musical program on NBC because of reported difficulties in arranging the program without Ascap music.

Neville Miller, N.A.B. president, in Washington last night said that his organization has no intention of entering into arbitration negotiations on the Ascap contract.

Ascap officials said that they did not view a possible consent decree in settlement of the six-year-old Government anti-trust suit as having any

(*Continued on page* 5)

Decree Is Step To U.S. Rule: Kuykendall

KANSAS CITY, Dec. 17.—The consent decree is a step toward Federal regulation of the industry, Ed Kuykendall, M.P.T.O.A. president, told members of the Kansas-Missouri Theatres Association in convention here today.

Kuykendall presented a generally pessimistic view of the decree's effects on theatre operations and asserted that it "gives exhibitors nothing they didn't have before."

R. R. Biechele of Kansas City, Kan., was elected president of the organization; Thomas Edwards, Eldon, Mo., vice-president, and Fred Meyn, Kansas City, Kan., secretary-treasurer. Directors elected were: Frank Cassil of St. Joseph, retiring president;

(*Continued on page* 5)

MPPDA BOARD MAY GET NEW 5-YEAR HAYS PACT TODAY

A proposal for the continuation of Will Hays' contract for an additional five years, until March, 1947, may be presented today, according to authorities, at a meeting of the board of directors of the Motion Picture Producers and Distributors of America. If not presented today, it is believed by these authorities that this extension of Hays' contract will be approved formally at the next meeting of the board, as the proposal already has received the informal approval of a majority of the association's company members.

A general study of the operation of the Production Code Administration in Hollywood will be made by the board, and Joseph I. Breen, code administrator, will submit a year-end report to the directors.

Sidney R. Kent, 20th Century-Fox president, and Nate J. Blumberg, Universal president, both of whom are in Hollywood, will be the only members absent from today's meeting. W. C. Michel, executive vice-president of 20th Century-Fox, will represent Kent, and Charles D. Prutzman, vice-president and general counsel of Universal, will represent Blumberg.

Masters to Confer On New U. A. Post

TORONTO, Dec. 17.—Haskell Masters, Canadian sales manager for United Artists, left for New York today to confer with home office officials on the new executive sales post which has been offered him there.

Arthur W. Kelly, United Artists vice-president and general sales manager, who recently confirmed the fact that Masters had been offered a home office sales post, said yesterday that he would have no statement to make regarding the appointment before the end of the week.

Federation Meeting Postponed to Friday

The meeting of the amusement division of the New York and Brooklyn Federation of Jewish Charities, which was to have been held tomorrow, has been postponed by David Bernstein, co-chairman, until Friday, at 12:30 at the Hotel Astor, so that there will be

(*Continued on page* 5)

Upholsterers Claim I. A. Interference

The Upholsterers' Union yesterday sought an injunction in N. Y. Supreme Court to prevent the I.A.T.S.E. and its Local 1, New York stagehands, from interfering with the hanging of drapes and curtains in theatres. The upholsterers claim they have contracts for the finshing of theatres and the stagehands are trying to take over their work, despite an A. F. of L. charter. Damages of $10,000 are asked.

Law Resigning, Will Be PCCITO Counsel

HOLLYWOOD, Dec. 17.—Albert J. Law, for the past 11 years special assistant U. S. Attorney General, will resign Jan. 1 to enter private practice, and has been retained as counsel by the Pacific Coast Conference of Independent Theatre Owners.

With Harold J. Collins, also a special assistant U. S. Attorney General, Law had charge of the investigations which led to the filing of contempt charges in the Fox West Coast consent decree case.

Law said that no legal program of the PCCITO has as yet been formulated in connection with the industry's Federal consent decree or other matters.

Jacob Lourie, Film Veteran, Dies at 66

BOSTON, Dec. 17.—Jacob Lourie, 66, a film pioneer and prominent in local theatrical circles for many years, died today at his home in suburban Brookline.

Former president of Netoco Theatres, and among the first to show talking films in the United States, he formerly was president of Allied Theatres of Massachusetts, affiliate of the M.P.T.O.A. He was affiliated with Paramount as a partner in Publix-Netoco Theatre Corp., and at the time of his death was associated with M. & P. Theatres and a director of Publix-Netoco. Funeral services will be held tomorrow morning.

Testimonial to Roy Tonight in Albany

ALBANY, Dec. 17.—More than 125 reservations have been received for the testimonial banquet at Jack's Restaurant here tomorrow for Andrew M. Roy, former manager of the Strand, Warner theatre here, who has been promoted to the Stanley, Utica.

Chairman of the affair is Jack Swartout, manager of the American Theatre, Troy, assisted by Charles A. Smakwitz, Warner district manager, Paul S. Krumenacker, Joe Weinstein, B. G. Kranze, and Jules Curley, who succeeds Roy as manager of the Strand.

Plan Dinner for Allen

CINCINNATI, Dec. 17.—Friends of John S. Allen, local M-G-M city salesman, who leaves Jan. 1 to become the company's branch manager in Washington, will hold a dinner in his honor at the Variety Club Saturday.

Personal Mention

SIDNEY R. KENT, president of 20th Century-Fox, left Monday night by plane for the Coast to attend the funeral of his brother, Ernest Kent. He will return on Monday.

•

JOSEPH I. BREEN, Production Code administrator, was delayed in his departure from Hollywood and now is scheduled to arrive in New York this morning.

•

J. CHEEVER COWDIN, Universal board chairman, left for the Coast by plane last night for production conferences at the studio. He is scheduled to return to New York in about three weeks.

•

A. N. SCHMITZ, RKO Milwaukee branch manager, is at the home office for a few days.

•

LEO DEVANEY, Canadian division manager for RKO, and captain of the Ned Depinet sales drive, is due at the nome office this week.

•

A-MIKE VOGEL has returned from a brief visit to the Coast.

•

JOCK LAWRENCE is in town from Hollywood.

•

MURRAY SILVERSTONE, WILLIAM FITELSON, JEFFREY BERNERD, ARTHUR LEE and DOUGLAS ROTHACKER having lunch yesterday at the Tavern.

•

EDWARD PESKAY, ARTHUR SILVERSTONE, EMANUEL SILVERSTONE lunching yesterday at Lindy's (next to the Rivoli).

GUS EYSSELL, assistant to W. G. VAN SCHMUS, managing director of the Music Hall, is in Buffalo.

•

WALTER BRANSON, RKO Midwestern district manager, is here from Chicago.

•

BEN JUDELL is in town from the Coast.

•

GEORGE L. CARRINGTON, Altec vice-president and general manager, has returned from the Coast. HARRY M. BESSEY, secretary-treasurer, is back from Chicago.

•

ROBERT MOCHRIE, Eastern division manager for RKO, is visiting the Detroit exchange this week.

•

HERMAN GARFIELD is vacationing at Hot Springs, Ark.

•

J. ROBERT RUBIN, SAM SHAIN, MAX A. COHEN, ADOLPH ZUKOR, AL LEWIS, LOUIS DREYFUS, RUSSELL HOLMAN and JOHN W. HICKS having lunch yesterday at Nick's Hunting Room in the Astor.

•

HENRI ELMAN, Monogram franchise holder in Chicago, is here for a few days.

•

STANTON GRIFFIS, LOUIS PHILLIPS, LEONARD GOLDENSON, CLAUDE LEE, GEORGE DEMBOW, CHARLES SONIN, LEE SHUBERT, JOHN GOLDEN, MORT SPRING, ISABEL JEWELL, ARTHUR MAYER, CLAYTON BOND, FRANK PHELPS, JOHN BEAL, ALEXANDER KIRKLAND and RAY HENDERSON at Sardi's for lunch yesterday.

Heads Club Committee

CINCINNATI, Dec. 17.—Al Kolitz has been named chairman of the committee to arrange for the Cinema Club of Cincinnati annual installation dinner to be held in February. Others on the committee are: Mark Cummings, Lev Bugie, Nat Kaplan, Nate LaVene and Irving Sochen.

Pat Greenlees Dies

TORONTO, Dec. 17.—Pat Greenlees, proprietor of the Princess Theatre, Woodstock, Ont., for 30 years and a member of the Associated Theatres circuit, died here. Representatives of film exchanges and veteran Toronto exhibitors made the trip to Woodstock for the funeral.

Last Minute Coast Flashes

Hollywood, Dec. 17.

J. G. FRAYNE was announced today as chairman of the Pacific Coast Section of the Society of Motion Picture Engineers for 1941, succeeding Loren Ryder, who becomes a member of the board of governors of the national organization. C. W. Handley becomes secretary-treasurer of the Pacific Coast Section, with F. J. Durst, B. Kreuzer and S. P. Solow named to the board of managers.

• •

Cliff Lewis, formerly Paramount studio advertising and publicity director, will move to New York to head the company's field exploitation staff under Robert M. Gillham, director of the company's advertising and publicity.

• •

The contract of Col. Jason Joy as public relations director for 20th Century-Fox was renewed today for two years.

• •

Musicians' Local 47 has elected an administration ticket headed by J. K. Wallace, president, an early count of votes indicated today. J. W. Gillette, International representative, was not elected a delegate to the American Federation of Musicians convention for the first time in 16 years.

• •

George Miller, a writer, today filed suit in Superior Court seeking $1,000,000 damages from Paramount and Preston Sturges, director of "The Great McGinty," on the ground the film used portions of a story he sent to the company in 1937, which was rejected.

• •

Charles Winfield Meggs today resigned as advertising art director at the Paramount studio to become president of Studio Publishers, Inc., a new company which will market novelties of the Hollywood type. He was with Paramount eight years.

Newsreel Parade

DEFENSE activities in the Americas, highlighted by William Knudsen's speedup appeal and the Duke of Windsor's conference with President Roosevelt, are featured in the midweek issues, which concentrate largely on the local scene. Little variation is apparent. The contents:

MOVIETONE NEWS, No. 29—British ship at Montevideo after battle. British troops in Egypt. Vichy cabinet meets. Lord Lothian rites. Duke of Windsor returns from conference with Roosevelt. Roosevelt returns on the *Tuscaloosa*. New airplane carrier launched at Newport News. New bomber in Maryland. New York Guardsmen in Alabama. Basketball season opens. Golf in Miami. Hat fashions.

NEWS OF THE DAY, No. 227—Knudsen urges speed in plane output. Windsor returns from visit with Roosevelt. New aircraft carrier launched. Services for Lord Lothian. British cruiser in Montevideo. British troops in Egypt. Basketball. Open golf tournament in Miami.

PARAMOUNT NEWS, No. 32—Basketball season opens. Golf in Miami. Funeral for Lord Lothian. New army bomber tested. Aircraft carrier launched at Newport News. Kentucky troops in water maneuvers. Knudsen urges speed in defense work. Roosevelt ends Caribbean cruise. Duke of Windsor returns after visiting Roosevelt. War refugees here.

RKO PATHE NEWS, No. 32—Lord Lothian services. Windsor back from conference at sea with Roosevelt. Roosevelt returns from defense tour. Knudsen urges speedier production. Test new bomber in Baltimore. Navy launches new plane carrier. Drugs stored in treasury vaults. Basketball season opens.

UNIVERSAL NEWSREEL, No. 937—Knudsen warns of arms delay. Roosevelt back from defense trip. Rites for Lord Lothian. New bomber tested. New bridge at Fort Knox. Launch new aircraft carrier. Jinx club celebrates in Philadelphia. Golf tournament in Miami. Basketball.

Herman Wobber in Frisco for Holidays

Herman Wobber, chief of distribution of 20th Century-Fox, is on the Coast. He will spend the holidays with his family at his home in San Francisco, and from there will go to the studio for production conferences with Sidney R. Kent, president, and Darryl F. Zanuck, vice-president in charge of production, scheduled for about Jan. 15. He is expected to return to the home office after the conferences.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.


PRESS



WHAT AMERICA NEEDS IS A RIOTOUS ROMANCE!

The scene above shows CLARK GABLE and HEDY LAMARR after a battle in which she bites, kicks and crowns him but it's just her way of demonstrating love. "COMRADE X" is much funnier than "Ninotchka" and easier to pronounce. It is a King Vidor Production with Oscar Homolka, Felix Bressart, Eve Arden. Screen play by Ben Hecht and Charles Lederer. Directed by King Vidor. Produced by Gottfried Reinhardt. M-G-M made it with both eyes on <u>your</u> box-office!

BMI-Ascap War Spreads On New Fronts

(Continued from page 1)

but the most remote bearing on a settlement of Ascap's rate dispute with the radio industry.

CBS sent a letter to its sponsors and affiliated stations urging all commercial shows to observe Dec. 26 as a deadline for Ascap music, instead of Dec. 31.

In its telegram to Gene Buck, Ascap president, and Neville Miller, BMI president, the A.A.A. said that it offered its services for "the arbitration of any controversies that may arise under any consent decree or contract establishing trade practices." BMI asserted that it was a competitor of Ascap and had nothing to arbitrate with it. Officials stated that if any arbitration were needed it was by the radio stations and not BMI.

Ascap Approves Arbitration

John G. Paine, Ascap general manager, said the A.A.A. offer was "a fine thing," and that Ascap would be willing to meet to negotiate with the broadcasters under any auspices, whether A.A.A. or otherwise. However, he declared that until some negotiations were started there was nothing to arbitrate.

While Robbins asserted that he would quit unless M-G-M, which controls 51 per cent of the stock of the Robbins firm, would sign with Ascap, David Bernstein, Loew's vice-president and treasurer who is also president of Robbins Music, declared that no decision had been made yet. The Robbins firm controls the "Big 3" catalogues, Robbins, Feist and Miller. According to Robbins, 18 per cent of all music played in the United States during 1939 was from the three catalogues.

Cancellation a Surprise

Cancellation effective after Jan. 16, of "Musical Americana," which came up from an initial rating of 2 to 9.7 in its latest Crossley, came as a considerable surprise in radio circles. Westinghouse, the sponsor, also owns five radio stations which have signed with BMI. However, Raymond Paige, the conductor, relied heavily on songs written by American composers which have become semi-classical. Almost all of this material is controlled by Ascap. Paige ignored the Dec. 23 deadline imposed by NBC for Ascap music on commercial shows and in scheduling his Dec. 26 show used six Ascap songs and not one BMI tune.

The other two key shows, "Your Hit Parade" and "College of Musical Knowledge," are planning to carry on despite the Ascap ban. "Your Hit Parade" has already inserted the phrase "from songs available to radio" in announcing the 10-hit songs of the week, and Kay Kyser plans to use popular domain and BMI compositions for his "College of Musical Knowledge" quiz. William Wright, account executive of Fuller, Smith & Ross, which handles the Paige show, said that Westinghouse was "very much satisfied with the program" but was compelled to cancel the show because of new financial arrangements. He denied that Ascap had anything to do with the cancellation.

Ascap officials said three points were being considered in the formula for a consent decree. They are: offering of optional contracts for either "blanket" or "per piece" licensing with payment at the source in either case; granting of a greater voice to Ascap members on election of directors; and the relaxation of membership requirements to make eligible anyone who practices song writing as a profession and has had one song published.

Ascap officials said they had no objections to any of these proposals and that, in themselves, the proposals would not satisfy the broadcasters.

"No Decree in 48 Hours'

In connection with reports that a consent decree might be ready within 48 hours, Ascap officials said the decree had not even been reduced to legal language and that it would have to be approved by the board of directors before it could be submitted to the Federal court for approval. Obviously, it was said, all this could not be done within 48 hours. It was added that the final draft was not expected before Jan. 1. Government and Ascap officials continued in conference in Washington yesterday.

Says Vaudeville to Be Back in Fight

Hollywood, Dec. 17.—Sigmund Romberg, former member of the Ascap board and for five years president of the Song Writers Protective Association, sees a possibility of a return of vaudeville and sheet music if the music dispute lasts six months after the Jan. 1 deadline. He also foresees a return to slow growth in popularity of music instead of the present condition where popular songs last some 10 weeks on the radio.

Equity Claim Death Not 'Act of God' Upheld on Appeal in Salary Case

A ruling by Actors Equity that the death of an actor is not an act of God was upheld by an arbitration board in an appeal filed by Sam Harris, producer of "George Washington Slept Here." The cast was awarded $1,332, representing one week's salary.

Harris contended that the death of Berton Churchill forced him to delay the opening for one week and that the death, being an act of God, relieved him of paying salaries. The arbitration board ruled, however, that the cast was not entitled to pay for four days lost because of a knee injury suffered by Ernest Truex, since they were paid for rehearsal time.

Because of the holiday season, the next meeting of the Equity council will be held Dec. 27.

Delay Canada Fee Hearing Pending BMI Fight Here

TORONTO, Dec. 17.—The adjourned hearing of the Canadian Copyright Appeal Board will be held Feb. 17 to receive the application of the Canadian Performing Right Society and any other bodies for approval of proposed license fees for the use of musical compositions during 1941.

The situation is complicated due to the creation of Broadcast Music (Canada) Inc., the official designation of the Canadian branch of the independent organization of copyright owners in the United States, which also has submitted a schedule of score charges for its musical works in the Dominion.

The postponement of the Appeal Board's session early in December was unusual. It is understood the board is awaiting developments in the performing rights field in the U. S. so that any decision in the Dominion will not cause embarrassment to either side in the issue prior to any definite outcome in the controversy in the States which would have direct effect in Canada.

The BMI has listed flat rate charges for the use of its music in Canada and these are moderate, their proposed collections in Ontario, for instance, totaling only $5,021, as compared with the Provincial total of $33,377 which has been collected by the Canadian Performing Right Society and which the Society proposes to raise for 1941.

Ranking Officers at 'Command' Opening

(Continued from page 1)

Toronto, Havana and Mexico City. The banquet was under the auspices of the National Aeronautic Association, which sponsored the opening.

Howard Dietz, advertising and publicity manager for M-G-M, as toastmaster, sounded a keynote of industry cooperation in national defense. Speakers included Admiral Harold Stark, Chief of Naval Operations; Gen. George C. Marshall, Chief of Staff of the Army; Dr. Leo S. Rowe, director general of the Pan-American Union; Thomas Burke, chief of the division of international communications of the State Department, and Walter Pidgeon, who has a leading role in the film, which stars Robert Taylor.

A guest of honor was Adeline Cox of the Pennsylvania Central Airlines, selected in a contest as the nation's "prettiest" stewardess. The banquet was broadcast over a Mutual network.

Federation Meeting Postponed to Friday

(Continued from page 1)

no conflict with the luncheon tomorrow at the same hotel in honor of E. K. O'Shea, newly appointed Central division manager of Metro-Goldwyn-Mayer, and Jack Bowen, newly appointed district manager.

The Ampa luncheon tomorrow was postponed to Friday for the same reason.

Proceeds of the Shea-Bowen luncheon will be turned over to the charity fund of the Motion Picture Associates. Several hundred are expected to attend. Harry Brandt is chairman.

Decree Is Step To U.S. Rule: Kuykendall

(Continued from page 1)

George Harttmann, North Kansas City, and Rex Barrett of Columbia, all representing Missouri membership, and J. E. Pennington, Topeka; Homer Strowig, Abilene, and C. A. Schultz, Kansas City, representing Kansas membership.

A discussion of the legislative prospect for next year revealed that theatres are one of two enterprises which already have been singled out for special tax legislation in Missouri. While proposed tax revisions in Kansas reveal no special theatre measures, exhibitors voiced the fear that they may be singled out for special taxation in that state.

The convention adopted a resolution condemning unfair competition of traveling 16mm. shows and asking for legislation to curb them.

H. M. Richey, director of exhibitor relations for M-G-M, defined the exhibitor's real problem now, as always, as the selling of motion pictures. He urged the exhibitors not to air industry problems publicly.

Benny-Allen Draw Big Opening Crowd

(Continued from page 1)

their radio companies attending as well as other celebrities.

The Paramount was closed three hours to prepare for the premiere, and opened again at 7:30 with the usual fanfare of lights, crowds, newspaper photographers and police lines.

Benny and Allen appeared at the opening for the first time together on a stage. A broadcast of the premiere went on the air from 9:15 to 9:30 over WOR and a Mutual hookup, with Don Wilson, announcer on Benny's radio program, as master of ceremonies.

Heard on the broadcast, among others, were Bea Wain, Fred Waring, Rosemary Lane, The Ink Spots, Andre Baruch, Henny Youngman, Ed Sullivan and Stuart Kanin.

Among those at the opening were: Mary Livingstone, Stanton Griffis, Barney Balaban, Adolph Zukor, Austin Keough, John W. Hicks, Neil F. Agnew, Tom Dorsey, Jese Block, Edwin Weisl, John D. Hertz, Russell Holman, Leonard Goldenson, Leon Netter, Charles Reagan, Joseph J. Unger, Oscar Morgan, M. F. Gowthorpe, Pat Scollard, Harry Kalcheim and John Hertz, Jr.

Actors to Get No Blanket Exemption

(Continued from page 1)

either from the local board or, if an appeal were taken, from the appeals board.

With reference to actors on tour, Harding was advised that an actor could report to the nearest local board if his number were called and he could not get to his own local board in time.

No official ruling has as yet been made with regard to motion picture actors.

'Comrade X' Los Angeles Best, $29,000

LOS ANGELES, Dec. 17.—"Comrade X" and "Charter Pilot" tallied a total gross of $29,000 at two houses, $12,500 at the Chinese and $16,500 at Loew's State. "Escape" scored $5,600 in the second week at the 4 Star.

Estimated takings for the week ending Dec 11:

"Comrade X" (M-G-M)
"Charter Pilot" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $12,500. (Average, $12,500)
"The Great Dictator" (U. A.)
CARTHAY CIRCLE—(1,518) (75c-$1.65) 7 days, 4th week. Gross: $6,400. (Average, $17,000)
"Escape" (M-G-M)
4 STAR—(900) (44c-55c) 7 days, 2nd week. Gross: $5,600. (Average, $3,250)
"You'll Find Out" (RKO)
"Five Little Peppers in Trouble" (Col.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $6,200. (Average, $6,500)
"Comrade X" (M-G-M)
"Charter Pilot" (20th-Fox)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $16,500. (Average, $14,000)
"You'll Find Out" (RKO)
"Five Little Peppers in Trouble" (Col.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $5,900. (Average, $7,000)
"Dancing on a Dime" (Para.)
PARAMOUNT—(3,595) (44c-55c-75c) 7 days. Stage: Clifford C. Fischer's "Folies Bergere of 1941." Gross: $20,000. (Average, $18,000)
"East of the River" (W. B.)
"Little Bit of Heaven" (Univ.)
WARNER BROS. (HOLLYWOOD)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $6,400. (Average, $14,000)
"Seven Sinners" (Univ.)
"Always a Bride" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400) (33c-44c-55c-75c) 7 days. Gross: $8,000. (Average, $12,000)

Honor Schwartz at Farewell Luncheon

About 225 attended a "farewell" luncheon to Arthur Schwartz at the Hotel Astor yesterday. Schwartz is resigning Jan. 1 as head booker for the Brandt circuit to enter the baking business.

Harry Brandt, head of the circuit, presented a home motion picture camera to Schwartz. Joseph Lee, 20th Century-Fox exchange sales manager, was toastmaster. Others who spoke included Thomas J. Connors, M-G-M division manager; Milton Kusell, Paramount district manager, and Henny Youngman.

Bolle to Return to Africa on Dec. 27

Otto Bolle, managing director for 20th Century-Fox in South Africa, will leave Dec. 27 for his headquarters after having been here since September. He will sail on the *Brazil* for Rio de Janeiro, and proceed from there to South Africa.

Carlos Bavetta, 20th Century-Fox manager in Brazil, is due at the home office, probably within a week, for home office conferences.

M-G-M Suit Settled

Settlement of the $50,000 damage suit of Mabel Wayne and Neville Fleeson against M-G-M has been filed in N. Y. Supreme Court. The plaintiffs had charged plagiarism of their son, "Betwixt and Between," by the defendant's song, "In Between."

Ontario Schools to Close Two Weeks

Toronto, Dec. 17.—Schools in Ontario are closing for two full weeks for the Christmas holidays, commencing Friday, instead of the customary recess of one week. There has been a rush at Toronto exchanges for appropriate film bookings for the extended period. The long holiday was unexpected because many of the schools did not open last Fall until Sept. 16 to enable youths to assist in harvesting operations.

Photophone Has New Sound Development

A new development in sound reproduction apparatus similar to RCA Fanatasound which will be available to all theatres by use of an attachment to present equipment was announced yesterday by Edward C. Cahill, manager of RCA Photophone. Called RCA Panoramic Sound, the new device uses auxiliary amplifiers and loudspeakers at the right and left of the screen. The extra equipment is controlled by a cue sound track on one side of the film.

Establishment of film standards by the Academy of M. P. Arts and Sciences must precede general use, Cahill explained, but Warners has already applied the principle experimentally in "Sante Fe Trail." The only alteration needed to the present sound equipment besides the soundhead attachment is the insertion of an auxiliary amplifier in the link circuit.

Ben Cohen, Calcutta Metro Manager, Here

Ben Cohen, managing director of Loew's Metro in Calcutta, has arrived in New York for his first visit since assuming his foreign post two and one-half years ago. Cohen will be here several weeks on a vacation and will also confer with Arthur M. Loew, M-G-M vice-president in charge of foreign activities. Before going to India, he was manager of Loew's Poli College Theatre in New Haven.

Rochester Houses Are Without Water

ROCHESTER, Dec. 17.—Theatres here have been without drinking water for several days as the result of the contamination of the city's water supply.

Some theatres brought in water from other sources, and all posted signs warning patrons that the water was not to be used under any circumstances. Health authorities ordered all water boiled before use.

Hold Mrs. Simmons Rites

LAMAR, Mo., Dec. 17.—Funeral services were held here today for Mrs. A. J. Simmons, wife of the owner of the Plaza Theatre at Burlington, Kan., who died on Saturday.

Bandit Is Captured

GENEVA, N. Y., Dec. 17.—A robber who held up the cashier at Schine's Geneva Theatre here last night and escaped with $160, was captured a short time later.

Delay English KRS Meet with Theatres

LONDON, Dec. 17.—The Kinematograph Renters Society (distributors) will meet with the Cinematograph Exhibitors Association after Christmas to attempt an adjustment of the problem which arose over the K.R.S. attitude on theatres closed by the war.

Sam Smith, K.R.S. head, expressed sympathy for the exhibitors' position and promised a sincere approach to the problem. He hinted that an adjustment of question of a questionnaire on operations, to which the exhibitors particularly objected, is not unlikely.

The distributors will meet tomorrow at the War Office to arrange details in the Army Council's plan for the use of portable film shows for troops.

Camden Exhibitor's Suit to U. S. Court

PHILADELPHIA, Dec. 17.—Breach of contract suit by the Abe Ellis, local exhibitor operating the Tower in Camden, N. J., against 20th Century-Fox in the Philadelphia Court of Common Pleas has been transferred to the U. S. District Court on the distributor's request.

Ellis filed the suit several months ago charging non-delivery of films and asking $67,500 damages. Harry A. Kalish in joining Richardson Dillworth as attorney for Ellis, today asked the court for an early hearing. The case has been put on the trial calendar for Friday.

New Haven Union Is Headed by O'Connell

NEW HAVEN, Dec. 17.—Local 74 of the stage employes union has reelected John S. O'Connell president, and Daniel Cummings as business agent, for the third consecutive year. The remainder of last year's slate also was reelected, including Charles McBride, vice-president, Robert C. Watson, recording secretary, Charles Langley, financial secretary, and Edward O'Connell, Derby business agent. The executive board includes all officers and trustees, Harry Feldman and William O'Connell.

$8,000 to RKO Counsel

Federal Judge William Bondy yesterday awarded an allowance of $8,000 to Thomas K. Finletter for services rendered in RKO reorganization proceedings. Finletter acted as special counsel to RKO during the applications for final allowances.

Dismisses Theatre Suit

ROCHESTER, Dec. 17.—Suit filed by Mrs. Florence L. Purdy, Ithaca, N. Y., to void a two-year-old lease under which H. G. Carroll Theatre, Inc., operates the Strand Theatre, was dismissed by Supreme Court Justice Benn Kenyon.

Open New Chicago Office

CHICAGO, Dec. 17.—M-G-M has opened its new exchange here. J. E. Flynn, district manager, now maintains his headquarters here, having moved from Detroit, and William E. Banford is branch manager.

'Letter' and Auer $40,000 Loop Gross

CHICAGO, Dec. 17.—"The Letter" at the Chicago, with Mischa Auer and Leni Lynn on the stage, brought $40,000. "Dulcy," with "Scat" Davis' orchestra on the stage, took $17,500 at the Oriental.

Estimated takings for the week ending Dec. 13:

"Arise My Love" (Para.)
APOLLO—(1,400) (35c-55c-65c-75c) 7 days. Gross: $6,500. (Average, $6,500)
"The Letter" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Misca Auer & Leni Lynn. Gross: $40,000. (Average, $32,000)
"Mark of Zorro" (20th-Fox)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $3,500. (Average, $5,000)
"Dulcy" (M-G-M)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: "Scat" Davis Orchestra, Anita Louise, George Givot. Gross: $17,500. (Average, $13,000)
"Seven Sinners" (Univ.)
"Dreaming Out Loud" (RKO)
PALACE—(2,500) (35c-40c-60c) 7 days. Gross: $11,500. (Average, $13,000)
"Little Nellie Kelly" (M-G-M)
ROOSEVELT—(1,500) (35c-55c-65c-75c) 7 days. Gross: $10,000. (Average, $11,000)
"Kit Carson" (U. A.)
STATE-LAKE—(2,700) (25c-40c) 7 days. Stage: John Boles. Gross: $16,000. (Average, $15,000)
"Escape" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $8,000. (Average, $14,000)

Hearing Jan. 7 on Chicago Censor Bill

CHICAGO, Dec. 17.—A hearing has been set by the Board of Aldermen for Jan. 13 on the proposed ordinance which would eliminate censorship of films for adults but provide censorship of films for children by a new board to be appointed by the Mayor.

Mrs. Richard M. McClure, president of the local Better Films Council; Mrs. Charles Merriam, wife of a University of Chicago professor, the Rev. George Gibson, and others appeared at a hearing yesterday.

Grants Radio Suit Writ

N. Y. Supreme Court Justice John F. Carewe has granted a temporary injunction against Grombach Productions, Inc., in favor of the Chilean Nitrate Educational Bureau, Inc., unless the defendant agrees to a trial on Jan. 13 and files acceptance by Dec. 23. The action involves a radio program, "Uncle Natchel."

Forego Xmas Gifts To Aid British Fund

Toronto, Dec. 17.—Exchange officials here have decided to forego the purchase of Christmas gifts, so that the money thus spent may be used for the relief of bombing victims in England.

Abe Rappaport, owner of the Hollywood Theatre, Campbellford, Ont., raised $327 for English war victims with an auction at the theatre. Merchants supplied the items and Rappaport bore the cost of the auction.

FREE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 120 NEW YORK, U. S. A., THURSDAY, DECEMBER 19, 1940 TEN CENTS

RKO to Make Only 40 Films Due to Decree

Will Increase Selling Cost Says Schaefer

By SHERWIN A. KANE

RKO plans to produce 40 features for the 1941-'42 season, instead of the 48 to 52 it has released in recent years, because of the operation of the consent decree, George J. Schaefer, president, said yesterday during an interview following his return from a month's visit at the company's Hollywood studio.



George Schaefer

Schaefer said that Hollywood will have to share the cost responsibility of the new system. Production waste must be eliminated and greater dollar value will have to be realized in every studio expenditure.

RKO, he said, plans to offer its first block of five features in July, and a second block in September. The company will have eight features completed, he said, in time for the start of the new selling system.

Schaefer attributed the reduction to the new selling system which will become effective next Summer, and which, he believes, will force the sale of pictures on their individual merits. The elimination of the less important pictures from production schedules will be necessary, as a result, he said.

(*Continued on page 3*)

Radio Poll Tomorrow

THE results of Motion Picture Daily's poll to determine the Radio Champions of 1940, conducted among 700 radio editors in the United States and Canada, will be published tomorrow.

Shea Circuit Will Give Week Salary

Cleveland, Dec. 18.—The Shea Circuit, of which E. C. Grainger is president, is giving all employes one week's salary as a bonus, in keeping with the tradition which was started during the lifetime of the late M. A. Shea.

O'Shea and Bowen Luncheon Today

More than 500 industry friends and associates will honor E. K. O'Shea, newly appointed Central division manager for M-G-M, and Jack Bowen, who has succeeded O'Shea as Eastern district manager, at a luncheon at the Hotel Astor today.

At the request of O'Shea and Bowen, the proceeds of the luncheon will be devoted to the charity fund of the Motion Picture Associates.

Harry Brandt, chairman of the committee which arranged the testimonial luncheon, will be toastmaster. On the dais will be: William F. Rodgers, T. J. Connors, Howard Dietz, Ed Saunders, Martin Quigley, Max A. Cohen, John J. O'Connor, Charles C. Moskowitz, Walter Vincent, Louis Nizer, Leo Brecher, Sam Rinzler, Jack Alicoate, James J. Walker and Fred Schwartz.

Brecher, on behalf of the industry, will present a plaque to each of the honored guests. Rodgers, Quigley and Dietz will be among the speakers. Jo-

(*Continued on page 3*)

JAN. 1 MUSIC FIGHT SHOWDOWN SURE

MPTOA May Hold Convention Next Spring on Coast

M.P.T.O.A. is considering holding a national convention in Hollywood next spring, Ed Kuykendall, president, said yesterday following his arrival in New York.

Members of the board of the organization are now being polled by mail on the proposal and favorable early reactions are being received, Kuykendall said.

The M.P.T.O.A. president arrived by plane yesterday from Kansas City where he addressed the convention of Kansas-Missouri Theatre Owners Association on the day before. He came here to attend a meeting of the industry's committee for cooperation on national defense.

Kuykendall said that M.P.T.O.A. has abandoned all thought of further legal opposition to the consent decree, convinced that the organization, as such, has no grounds or legal standing for initiating litigation of that kind. However, he said that individual members may bring action to test the legality of the decree when the occasion arises later.

He plans to leave this morning for his Columbus, Miss., home.

NAB and Ascap Assert Possible U. S. Decree Will Not Bring Peace

Possibility of a settlement of the Ascap fight with broadcasters went glimmering yesterday as both sides expressed the conviction that Ascap music would go off the air Jan. 1 despite any consent decree or other settlement of the Government anti-trust suit against the society.

Meanwhile a strong "appeasement" faction within Ascap appeared to be gaining strength, although even members of this faction doubted that any solution could be reached before the year-end deadline.

In a sharply-worded statement, Neville Miller, president of the National Association of Broadcasters, asserted that although Ascap reforms would be welcomed by the radio industry, "it is natural that broadcasters should view with suspicion such stories of 11th-hour reformation."

Miller declared that Ascap's "protestations of willingness to sign a consent decree" were probably "an attempt to pursue their usual tactics of confusion and delay." Miller added that "even the signing of a consent decree would not automatically make Ascap music available to the industry.

(*Continued on page 3*)

U. S. Sees Decree By Jan. 1 Remote

Washington, Dec. 18.—Government sources said today the possibility of a consent decree with Ascap before Jan. 1 is remote. Department of Justice attorneys said a decree could be obtained quickly only if Ascap officials came to Washington with specific proposals acceptable to the Government.

Hays Contract Approval Expected at Next Meeting

Consideration of a new five-year contract for Will H. Hays as president of M.P.P.D.A. was deferred yesterday at a meeting of the board, which is expected to formally approve the contract at the next meeting. Yesterday's session was adjourned to Dec. 27, by which time Sidney R. Kent, 20th Century-Fox president, is expected to be back from the Coast.

The meeting discussed the British monetary proposals, which have not been finally approved but are expected to be within the next few days, and the general foreign situation. Results of the recent American Red Cross campaign in 7,500 theatres throughout the country were reported on, and it was stated that an additional 2,000 theatres will participate in local Red Cross drives later.

Application to various charities of receipts from distribution by M-G-M of "Land of Liberty," the all-industry documentary subject, also was discussed. Settlement of several title disputes among member companies was made.

Also deferred for later discussion was the subject of operations of the Production Code Administration. Joseph I. Breen, administrator of the code, who arrived from Hollywood yesterday morning, did not attend the meeting.

Attending the meeting were: Hays, Barney Balaban, Jack Cohn, E. B. Hatrick, F. L. Herron, Joseph H. Hazen, W. C. Michel, Charles D. Prutzman, George J. Schaefer, Nicholas M. Schenck and Maurice Silverstone.

Reviewed Today

A Hollywood review of "Flight Command" and a New York review of "Love Thy Neighbor" appear on Page 7.

Not Afraid

Des Moines, Dec. 18

TRI-STATES Theatres announcement that all persons attending a midnight horror show at the Paramount would receive a free ticket brought out over 4,000 persons who qualified for the free tickets. As the Paramount's seating capacity is 1,600, the Des Moines and Strand Theatres were opened and filled with the overflow.

Associates Nominate Three for President

Joseph J. Lee of 20th Century-Fox, Nat Beier of United Artists and David Levy of Universal yesterday were nominated for the presidency of the Motion Picture Associates to succeed Jack Ellis, who, after serving three terms, refused to run for a fourth.

Others named: vice-president, James Frank and Jack Hattem; second vice-president, Matty Cahan; secretary and treasurer, Moe Fraum; financial secretary, Charles Penser; sergeant-at-arms, Louis Kutinsky; chaplain, Charles Berliner; trustees, two to be elected, Seymour Schussel, Ben Abner, Adolph Haas, Jeffrey Levy and Al Suchman.

Elections will be held Jan. 15 at the Hotel Astor. A board of directors will be appointed by the vice-president.

Masters Back After Parley With Kelly

Haskell Masters, United Artists Canadian sales manager, left for Toronto yesterday after a brief conference with Arthur W. Kelly, vice-president and general sales manager. Masters, who has been offered an executive sales post at the home office, declined to say whether or not he had accepted the position. Kelly said he would have no statement until the end of the week.

Chapman Quits Mono.

Jules K. Chapman, assistant to Harry H. Thomas, district manager of Monogram Pictures, leaves the company tomorrow. He will announce his future plans later.

Personal Mention

E. V. RICHARDS and ROBERT B. WILBY, Paramount theatre partners in the South, are in town.

•

JACK MCINERNEY, head of the Paramount publicity department, and MRS. MCINERNEY, will leave tomorrow to spend two weeks in Florida.

•

C. A. BIERBAUER, manager of Wilmer & Vincent's Colonial and State Theatres, Allentown, Pa., was married last week to KATHLEEN ETHEL MITCHELL.

•

E. C. GRAINGER, president and general manager of the Shea Circuit, left last night for Boston, en route to Manchester, N. H., on real estate business.

•

JOHN MILLIGAN, owner of the Broadway Theatre, Schuylerville, N. Y,. has left for a six-week vacation in Florida.

•

ROBERT RUSSELL, manager of the Loew-Poli, New Haven, will spend the New Year holiday in Atlantic City.

•

MORTON J. SABLOSKY, son of ABE SABLOSKY, Philadelphia independent circuit operator, has been admitted to the bar.

•

DAVID RUBIN, manager of the Westdale Theatre, Hamilton, Ont., is the second manager in the province to enlist in the Canadian armed forces. He is in the Navy.

NORMAN LEWIS, Philadelphia theatre owner, will announce the engagement of his daughter, RUTH, to ARTHUR SILBER, at the Hotel Warwick at a dinner on Sunday.

•

ADOLPH JOHNSON, operator of the Strand, Hamden, Conn., plans a Christmas vacation at Miami Beach.

•

SAM RINZLER, LOUIS NIZER, WILLIAM F. RODGERS, HOWARD DIETZ, OSCAR A. DOOB, TOBY GRUEN, TOM CONNORS, GEORGE SKOURAS, E. K. O'SHEA, ED SAUNDERS and SIDNEY PHILLIPS having lunch yesterday at Nick's Hunting Room in the Astor.

•

AL RICHARD, ARTHUR LOEW, JOHN GOLDEN, ROBERT MILTON, JACK GODDARD, WILLIAM BRANDT and LEE SHUBERT lunching yesterday at Sardi's.

•

LOUIS BERNSTEIN, JOSEPH MOSKOWITZ, BERNARD BRANDT and JACK GOETZ at Lindy's (51st St.) yesterday for lunch.

•

MAURICE FREEMAN, ARCHE MAYER, AL MARGOLIES and SEYMOUR POE lunching at Lindy's (next to the Rivoli) yesterday.

•

HARRY BUCKLEY, JAMES MULVEY, COLVIN BROWN, TERRY RAMSAYE, WALTER READE, CHARLES HIRLIMAN, WALTER FUTTER, FRED MCCONNELL, GEORGE JEFFREY, CHARLES STEELE, PAUL LAZARUS and NORMAN ELSON having lunch at the Tavern yesterday.

Loew Booth to Army

Howard Dietz, on behalf of Loew's-M-G-M, yesterday presented the company's Times Square information booth to the Army for use as a recruiting station. Dietz was introduced by Major Ray Perkins, and the booth was accepted by Col. E. P. Pierson. Borough President Stanley Isaacs, Col. John Reed Kilpatrick and Fred Bright of the Broadway Association were other speakers.

100 at Testimonial To Roy in Albany

ALBANY, Dec. 18.—Every Albany theatre, circuit or independent, was represented at the testimonal luncheon here today to Andrew M. Roy, who has been transferred by Warners from the Strand here to manage the Stanley, Utica.

More than 100 persons were present, with Chamber of Commerce and civic club officials joining Warner and other theatre and film men in the tribute. M. A. Silver, Warner zone manager, was the principal speaker. Lou Golding, Fabian district manager, also spoke.

Travis to Succeed O. H. Briggs at Pathe

E. M. Travis will succeed O. Henry Briggs as president of Pathe Laboratories, Inc. Briggs has resigned to enter independent production and expects to announce his plans in the near future. Travis has been Hollywood manager for the company.

Briggs was sales manager for DuPont Film Manufacturing Co. from 1924 to 1936, when he became president of Pathe Film Corp. He became president of Pathe Laboratories two years ago.

Mrs. Martha Branon Dies

Thomas Branon, president of Affiliated Producers, independent exchange in Atlanta, who has been visiting here, left yesterday for Charlotte, N. C., to attend the funeral tomorrow of his mother, Martha E. Branon. Another son, Rovy Branon, is with RKO in Charlotte.

Managers of Shea Circuit Are Shifted

A number of management changes have been made in the Shea Circuit by E. C. Grainger, president and general manager. They include the following:

Vincent Choate, manager of the Orpheum, McKees Rocks, Pa., has been shifted to Bradford, Pa., as manager of the Shea and Grand; Dale Tysinger, former assistant at the two Bradford houses, will replace Choate in McKees Rocks; Sanford Rowlands, former assistant manager at the Weller, Zanesville, O., has been shifted to Bradford as assistant at the Shea and Grand; James Salmans, former assistant at the State and Ohio, Cambridge, O., has gone to Zanesville as assistant to John Woodward, manager of the Weller; Gene Neavitt, former assistant at the Fulton, Pittsburgh, has gone to Cambridge as assistant at the State and Ohio; Raymond Trubey has been transferred from the Bexley, Dover, O., to assistant to John Walsh, manager of the Fulton, Pittsburgh.

Washington and Salt Lake Win Kent Drive

The Washington branch of 20th Century-Fox finished first in the National Division of the S. R. Kent Drive and Salt Lake City placed first in the International Division, it was disclosed yesterday. Sam Wheeler is Washington manager and Charles L. Walker manager in Salt Lake City.

William J. Kupper's Western division was first in the divisional race, for the second consecutive year, and the Atlantic District, headed by Edgar Moss, Philadelphia, won the district competition. The St. John, N. B., branch, headed by R. G. March, was the Canadian winner.

This was the eighth annual Kent Drive of the company. M. A. Levy, Minneapolis district manager, was leader of the drive.

Plan Dinner for Bishop

PITTSBURGH, Dec. 18.—A testimonial dinner will be held early in January for Burtus Bishop, Jr., M-G-M exchange manager who will become a district manager with headquarters in Kansas City. The dinner will also welcome Byron Stoner, Cleveland salesman, who will succeed Bishop here.



MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame.

Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

RKO to Make Only 40 Films Due to Decree

(Continued from page 1)

Discussing other probable effects of the decree, the RKO president said it would unquestionably increase distributors' selling costs, would make the employment of additional salesmen necessary and would increase the cost of production financing.

Schaefer said he did not believe reduced production schedules, even by all of the five companies which are parties to the consent decree, would result in a product shortage, since he believes better pictures will be offered in greater numbers and will merit longer playing time individually. He foresees no radical changes resulting from the new sales method on admission scales, on national release dates or on the practice of double featuring. Of the latter, he said it will continue wherever the public demands it, regardless of sales methods in the industry, and said he was convinced that many theatres could not remain in business on a single feature policy.

Sees Small Meetings

The RKO executive said that he believed "smaller" annual sales meetings were in order as a result of the decree and that, if the decree sales system remains in force, eventually there will be no need for such sales meetings whatever.

Schaefer believes that the company's sales force, which will be "feeling its way" into a new selling method at the outset, will require more time to negotiate and close deals in the beginning of the season than it will later on. For that reason he believes that offerings of blocks will be spaced nearer together as the season progresses.

Schaefer said he sees no plan developing among the consenting companies for the simultaneous offering of their picture blocks, and believes that if this occurs it will be purely coincidental.

"Each company will try to sell its product as rapidly as blocks are available," he said.

Against 'Switches'

He believes, however, that community or cooperative screening places will come into being in the exchange centers to be used by all five companies for their trade showings.

Schaefer said that he does not favor substitutions of pictures, or "switches," from one block to another at various offerings. When it is possible and practicable to do so, he said, more than one block will be offered at a time, but he believes RKO will offer only a block at a time to first runs at the start.

He foresees the disappearance of price allocations to pictures making up the entire studio schedule, as a result of each picture being sold on its own merit. As a result, he said, the high budgeted production which turns out to be a mediocre picture will find a lower price level than that now allocated to such productions, and the so-called "sleeper" will find a higher price level than that now allocated to it in advance.

Schaefer Asks End Of 20-Cent Tax Base

Elimination of the present 20-cent tax minimum on admissions was advocated yesterday by George J. Schaefer, RKO president, in order to avoid a threatened reduction of admission scales by advance run theatres which "would be harmful to the entire industry in the face of its existing foreign market losses."

Schaefer said he sees the need for a tax "down to the first dime."

O'Shea and Bowen Luncheon Today

(Continued from page 1)

seph J. Lee and Moe Sanders are in charge of seating.

Among those present at the luncheon will be:

Neil F. Agnew, J. J. Unger, Milton Kusell, Leon Netter, Harry Hecht, William Brandt, Max A. Cohen, J. J. Thompson, Laurence Bolognino, Si Fabian, Sam Strausberg, Joseph Vogel, Walter Reade, Joseph Seider, Arthur Rapf, Michael Ruden, Edward Rugoff, George Skouras, Herman Becker, Donald Jaycocks, Colvin Brown, Terry Ramsaye, Edward C. Raftery, George Dembow, Louis Frisch, Dave Levy, Marvin Schenck, Sam Shain, Oscar Doob, Si Seadler, William Sussman and Harry Buxbaum.

W. B. Buy 'Dive Bomber'

HOLLYWOOD, Dec. 18. — Warners have purchased "Dive Bomber," original story by Commander Frank Wead.

The RKO president plans to return to Hollywood next month for a lengthy stay to aid in the preparations there for the new production and selling order. He declined to comment on reports that executive changes at the studio were in prospect but said he planned to add new producers to the company's lists and to eliminate some of the independent producers now associated with the company. The latter eliminations will be made in connection with the plan to dispense with "small and unimportant pictures." The company will have five or six independent producers, among them Herbert Wilcox, he said.

Schaefer estimated that RKO will deliver 42 to 45 of the 45 to 48 pictures sold on the current season's program.

Ask Postponment of Cuban Booking Law

A proposal to postpone the effective date of Cuba's anti-block booking law for three months from Jan. 1 has been made at Havana to provide additional time to work out a compromise measure acceptable to American distributors and Cuban exhibitors, home office foreign departments were advised yesterday.

It was not stated whether the proposal had been accepted by the Cuban Government. All theatres on the island, whose current contracts with American distributors expire Dec. 31, are threatened with closings for lack of product if a modification of the law or a postponement of the effective date does not occur within the next few days.

One proposal for compromise legislation calls for sales of pictures by title for six instead of 12-month periods in advance.

Academy Sets New Writer, Art Awards

HOLLYWOOD, Dec. 18. — Two new awards were established today by the Awards Committee of the Academy of Motion Picture Arts and Sciences at its first meeting. One will be a third award for writing, to be given for the best original screenplay, the writer or writers of which are also authors of the original story. The other will be for art direction of color films.

Feeling that the new writer award would encourage originality, the committee included it with other awards for the best original film story and for the best screenplay adapted from a book or stage play.

The new art award will be in addition to the one for art direction of black and white films.

A subcommittee including Jack L. Warner, Edward Arnold and Charles Brackett was named to make recommendations for special awards. Mervyn LeRoy was designated to confer with the Screen Directors Guild board on the advisability of restoring the assistant director award given from 1933 through 1937.

The Academy Board of Governors was given the responsibility of selecting the winner of the Irving G. Thalberg Memorial Award for production. The rules committee decided that virtually the same rules of last year will prevail in the selection of nominations.

Form Basketball League

SCRANTON, Pa., Dec. 18.—The Comerford Theatres Basketball League has been reorganized with six teams planning to compete this season.

A Generous Gesture

Pittsburgh, Dec. 18.

WHEN Samuel Charles, colored service man at the Clark Building, mentioned to Harry Kalmine and C. J. Latta, Warner Theatres executives, that the new church to which he had been appointed pastor needed refurnishing and repainting, things began to happen. Through the efforts of the two, the church was painted and furnished, a car was obtained for the pastor and Variety Club members offered an organ which had to be refused because it was too large.

The Rev. Charles of the Trimble Chapel AME Zion Church expressed the deep gratitude of himself and his flock for the generous assistance.

Music Fight Heading for Jan. 1 Climax

(Continued from page 1)

Such availability would depend upon the acceptance by Ascap of an honest and reasonable contract, and this would, of course, be a matter requiring extensive and perhaps prolonged negotiation."

Commenting upon the possible settlement of the Government suit, Gene Buck, Ascap president, said "a consent decree would be a settlement under the litigation between Ascap and the United States Government, and is not a settlement of the controversy between the radio broadcasting networks and the Society."

Buck said that a series of conferences were under way between Ascap and Government attorneys on a possible consent decree but added that "it is idle to speculate or surmise what might be the terms of a consent decree or the judgment of a court until either one or the other has been effected." He pointed out that any negotiations would first have to be approved by the Ascap board, and then by the court, before it could have any effect.

Views Differ

The so-called "appeasement" faction within Ascap seeks a quick settlement with the radio industry although it is frankly admitted that both sides have gone so far that a settlement before Jan. 1 is virtually impossible.

This group bases its arguments on two main points. First, there is the possibility of a criminal indictment against members of the Ascap board on the same anti-trust charges which are set forth in the civil suit. Secondly, there is the fact that radio is Ascap's biggest customer and that sound business practice requires adjustment of any differences.

While the group is decidedly in the minority, it appears to be growing steadily. There is a similar group among the broadcasters which seeks a settlement without the disruption of dio service.

Operator Union Elects

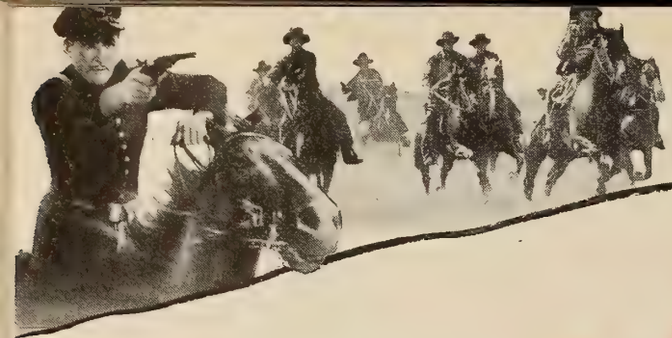
HAZELTON, Pa., Dec. 18.—New officers of Local 152 of the operators union here are: Vincent McKelvey, president; John Gallagher, vice-president; William Boyle, business agent; Anthony DeCosmo, secretary-treasurer; Henry Krissinger, recording secretary; Alex Smutzer, sergeant-at-arms. Installation will be held Jan. 5.

Frawley Active on Coast

The death of William Franey, 58, screen veteran, last week in Hollywood, was erroneously reported in MOTION PICTURE DAILY as William Frawley, due to an error in telegraphic transmission. Frawley is actively engaged in film work in Hollywood.

Buffalo Competition

BUFFALO, Dec. 18.—New competition for local theatres has developed, with the opening of the new Civic Auditorium, which can be used for any type of indoor sporting event or exhibition.



IF EVER A PICTURE MERITED ALL THE SPECIAL HANDLING AND PLAYING TIME YOU CAN GIVE IT, 'SANTA FE TRAIL' IS IT!

Available from **WARNERS** for Xmas and New Year's engagement



Rockne's 'Gipper' in an even greater portrayal




"IRON RAILS TO KANSAS...
IRON NERVES FROM THERE ON!"
ERROL FLYNN
OLIVIA
DeHAVILLAND
in
"Santa Fe Trail"
RAYMOND
MASSEY
as John Brown
RONALD
REAGAN
as Captain Custer
ALAN
HALE
as Private Bell
WILLIAM LUNDIGAN · VAN HEFLIN · GENE REYNOLDS · HENRY O'NEILL · GUINN "BIG BOY" WILLIAMS
Directed by MICHAEL CURTIZ
Original Screen Play by Robert Buckner · Music by Max Steiner · A Warner Bros.-First National Picture

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Nov. 22	Escape to Glory (D) Lone Wolf Keeps a Date (D)	Little Nellie Kelly (M) 112 *Judy Garland* *George Murphy*	Phantom of Chinatown (D) *Keye Luke*		Texas Terrors (O) 073 *Don "Red" Barry* *Julie Duncan*	You'll Find Out (M) 108 *Kay Kyser* *Ginny Simms*	Youth Will Be Served (D) 119 *Jane Withers* *Jane Darwell*	Long Voyage Home (D) *John Wayne* *Thomas Mitchell*	Meet the Wildcat (D) 5023 *Ralph Ballamy*	The Letter (D) 552 *Bette Davis* *Herbert Marshall*
Nov. 29	Ellery Queen, Master Detective (D) *Ralph Bellamy*	Dr. Kildare's Crisis (D) 115 *Lew Ayres* *L. Barrymore*	West of Pinto Basin (O) *Ray Corrigan* *Terhune & King*		Meet the Missus (C) 018 *Higgins Family*	Remedy for Riches (D) 113 *Jean Hersholt* *Dorothy Lovett*	Tin Pan Alley (M) 120 *Alice Faye* *Betty Grable*	Blackout (D) *Conrad Veidt* *Valorie Hobson*	The Bank Dick (C) *W. C. Fields* *Una Merkel*	Lady With Red Hair (D) *Miriam Hopkins* *Richard Ainley*
Dec. 6	Thundering Frontier (O) *Chas. Starrett* *Iris Meredith*	Go West (M) 114 *Marx Brothers* *Diana Lewis*		Night at Earl Carroll's (C) *Ken Murray* *Lillian Cornell*	Border Legion (O) 053 *Roy Rogers* *Gabby Hayes*	The Fargo Kid (O) 182 *Tim Holt*	Charter Pilot (D) 118 *Lloyd Nolan* *Lynn Bari*		Margie (C) 5026 *Tom Brown* *Nan Grey*	She Couldn't Say No (C) 571 *Roger Pryor* *Eve Arden*
Dec. 13	Great Plane Robbery (D) *Jack Holt* *Vicki Lester*	Comrade X (C) 113 *Clark Gable* *Hedy Lamarr*	Chamber of Horrors (D) *Leslie Banks*	Texas Rangers Ride Again (O) *John Howard* *Ellen Drew*	Barnyard Follies (C) 008 *Mary Lee* *Rufe Davis*		Murder Over New York (D) 121 *Sidney Toler* *Ricardo Cortez*		Trail of the Vigilantes (D) *Franchot Tone* *B. Crawford*	
Dec. 20	Phantom Submarine (D) *Anita Louise* *Bruce Bennett*		Pride of the Bowery (D) *Bobby Jordan* *Leo Gorcey*		Behind the News (D) 009 *Lloyd Nolan* *D. Davenport*	No, No, Nanette (M) 114) *Anna Neagle* *Zasu Pitts*	Jennie (D) 122 *V. Gilmore* *William Henry*		Give Us Wings (D) 5025 *Dead End Kids*	Here Comes the Navy (D) 525 *James Cagney* *Pat O'Brien*
Dec. 27	Arizona (O) *Jean Arthur* *William Holden*	Keeping Company (D) 116 *John Shelton*	Her First Romance (D) *Edith Fellows* *E. Evans*	North West Mounted Police (D) 3946 Love Thy Neighbor (C)	Lone Star Raiders (O) 064 *3 Mesquitters*	Kitty Foyle (D) 112 *Ginger Rogers* *Dennis Morgan*	Chad Hanna (D) 123 *Henry Fonda* *Dorothy Lamour*	Thief of Bagdad (D) *Sabu* *June Duprez*	Invisible Woman (C) *J. Barrymore* *Virginia Bruce*	Santa Fe Trail (D) 551 *Errol Flynn* *O. De Havilland*
Jan. 3	This Thing Called Love (C) Wildcat of Tucson (O)	Flight Command (D) 117 *Robert Taylor* *Ruth Hussey*	Rolling Home to Texas (O) *Tex Ritter*	Second Chorus (C) *Fred Astaire* *Paulette Goddard*	Bowery Boy (D) *Dennis O'Keefe* *L. Campbell*	Convoy (D) 161 *Clive Brook* *John Clements*	Hudson's Bay (D) 115 *Paul Muni* *Virginia Field*	Son of Monte Cristo (D) *Joan Bennett* *Louis Haywood*	Where Did You Get That Girl (D) Lucky Devils (D) 5023	Four Mothers (D) 503 *Lane Sisters* *Jeffrey Lynn*
Jan. 10	Pinto Kid (O) *Chas. Starrett* *Louise Currie*	Maisie Was a Lady (C) *Ann Sothern* *Lew Ayres*	You're Out of Luck (D) Trail of the Silver Spurs (O)	Doomed Caravan (O) *Bill Boyd* *Russell Hayden*	Wyoming Wildcat (O) 074 *Don "Red" Barry*	Little Men (D) 110 *Kay Francis* *Jack Oakie*	Michael Shane, Private Detective (D) *Lloyd Nolan*		San Francisco Docks (D) *Burgess Meredith* *Irene Hervey*	Case of the Black Parrot (D) 572 *Wm. Lundigan*
Jan. 17	Face Behind the Mask (D) *Peter Lorre* *Evelyn Keyes*	Philadelphia Story (C) 119 *Grant-Hepburn* *James Stewart*		Victory (D) *Fredric March* *Betty Field*	Robin Hood of the Pecos (O) 054 *Roy Rogers*	Let's Make Music (D) 115 *Bob Crosby* *Jean Rogers*	Romance of the Rio Grande (O) 125 *Cesar Romero*		Six Lessons from Madame LaZonga (M) *Lupe Velez*	Honeymoon for Three (C) *George Brent* *Ann Sheridan*
Jan. 24		Wild Man of Borneo (C) *Frank Morgan* *Mary Howard*		Aldrich Family in Life with Henry (C) *Jackie Cooper*	Riding On A Rainbow (O) *Gene Autry* *Smiley Burnette*	Saint in Palm Springs (D) 116 *George Sanders* *Wendy Barrie*	Tall, Dark and Handsome (C) 128 *Cesar Romero*		Back Street (D) *Charles Boyer* *M. Sullavan*	High Sierra (D) *H. Bogart* *Ida Lupino*
Jan. 31	Legacy (D) *Warner Baxter* *Ingrid Bergman* *Fay Wray*	Come Live With Me (C) *James Stewart* *Hedy Lamarr*			Arkansas Judge (C) *Weaver Bros.* *Elviry*	Mr. and Mrs. Smith (C) 117 *Carole Lombard* *R. Montgomery*	Girl in the News (D) 127 *Valerie Hobson* *B. K. Barnes*			
Feb. 7				You're the One (M) *Bonnie Baker* *Orrin Tucker*	Petticoat Politics (C) *Higgins Family*	Along the Rio Grande (O) 183 *Tim Holt* *Ray Whitley*			Who's Crazy Now? (C) *Hugh Herbert* *Jeanne Ka*	

PLAY PARAMOUNT SHORTS... They Fill the Bill to Perfection!



December 13
Popeye The Sailor
'Popeye presents EUGENE, THE JEEP'



December 13
Headliner
JOHNNY MESSNER and his Orch.



December 20
Animated Antics Cartoon
'BRING HIMSELF BACK ALIVE'



December 20
Magnacolor
'POPULAR SCIENCE No. 3'

100% BOX OFFICE TESTED!

Paramount Pictures

'Bank Dick,' Show, $17,000 Philadelphia

PHILADELPHIA, Dec. 18.—Christmas shopping is hurting grosses. "The Letter" took $14,500 for its second week at the Boyd. "The Bank Dick," with vaudeville, made $17,000 at the Earle.

Estimated takings for the week ending Dec. 11-13:

"Long Voyage Home" (U. A.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days. Gross: $10,000. (Average, $9,000)
"Bitter Sweet" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $4,000. (Average, $2,600)
"The Letter" (W. B.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $14,500. (Average, $13,000)
"The Bank Dick" (Univ.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including Vincent Lopez's orchestra, Edmund Lowe, Ann Dvorak, Peter Lind Hayes, Evelyn Farney, Sunny Skyler and Ann Barrett. Gross: $17,000. (Average, $14,000)
"Meet the Wildcat" (Univ.)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days with vaudeville including Pat Paree, the Roxyettes, the Gaudsmith Brothers, Ray Wilbert, Present & Past, and the Emerald Sisters. Gross: $6,100. (Average, $6,900)
"Tin Pan Alley" (20th-Fox)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $14,000. (Average, $13,000)
"A Little Bit of Heaven" (Univ.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days. Gross: $3,000. (Average, $3,000)
"Little Nellie Kelly" (M-G-M)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,600. (Average, $4,500)
"Arizona" (Col.)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $10,000. (Average, $14,000)
"Here Comes the Navy" (W. B.)
STANTON—(1,700) (35c-46c-57c) 7 days, revival. Gross: $5,200. (Average, $4,500)

'Laddie' and Herman $13,000 Buffalo Lead

BUFFALO, Dec. 18.—"Laddie" and Woody Herman and his orchestra on the stage drew $13,000 at the Twentieth Century. "Bitter Sweet" and "Murder Over New York" at the Great Lakes took $9,700.

Estimated takings for the week ending Dec. 14:

"The Letter" (W. B.)
"Hullabaloo" (M-G-M)
BUFFALO—(3,489) (35c-60c) 7 days. Gross: $10,500. (Average, $12,000)
"Bitter Sweet" (M-G-M)
"Murder Over New York" (20th-Fox)
GREAT LAKES—(3,000) (35c-55c) 7 days. Gross: $9,700. (Average, $7,500)
"Tugboat Annie Sails Again" (W. B.)
"Lucky Cisco Kid" (20th-Fox)
HIPPODROME—(2,100) (30c-50c) 7 days. Gross: $4,700. (Average, $6,800)
"Laddie" (RKO)
TWENTIETH CENTURY—(3,000) (30c-35c-55c) 7 days. Woody Herman and orchestra on stage, with Kitty Lane, Joe Bishop, Saxie Mansfield, Frankie Carlson, the Woodchoppers, Paul Winchell and King and Arlina. Gross: $13,000. (Average, $7,500)

'Cue for Passion' At Royale Tonight

A new play by Edward Chodorov and H. S. Kraft, "Cue for Passion," will be presented at the Royale Theatre tonight by Richard Aldrich and Richard Meyers. Otto L. Preminger directed. Gale Sondergaard, George Coulouris and Doris Nolan are in the top roles. Charles Washburn is handling publicity for the show.

Feature Reviews

"Flight Command"

(M-G-M) *Hollywood, Dec. 18.*

WHAT with newspaper, magazine and radio filled with discussion of the nation's aviation defense, this presentation of the Navy's flight forces is geared to what would appear a sure-fire exploitation campaign. Showmen who promise their customers an intimate view of the Navy's planes in action, under good conditions and bad, with an extensive treatment of the training of personnel in both duty and ethics, will find themselves supported in their promises by the production.

It is the story of the Navy's air force that dominates the picture. Against this background, and devised in such fashion as to show the ability, resourcefulness and spirit of the troops, is a story about a flight commander, his wife, her brother and her brother's friend, a recruit, a tale which departs somewhat from formula but is secondary in entertainment importance to the background material in which public interest is at high pitch.

Robert Taylor, Walter Pidgeon, Ruth Hussey, Paul Kelly, Shepperd Strudwick, Red Skelton, Nat Pendleton, William Tannen and William Stelling head the cast.

Frank Borzage directed, J. Walter Ruben producing, from a screenplay by Wells Root and Commander Harvey Haislip based on a story by Haislip and John Sutherland. Commander Morton Seligman, U.S.N., was technical adviser.

Running time, 113 minutes. "G."* ROSCOE WILLIAMS

"Love Thy Neighbor"

(Paramount)

FOR the countless thousands of radio fans who have listened every week for years to the top-notch comedy programs broadcast by Jack Benny and Fred Allen, this picture starring both of them, should be a real treat. For the exhibitors these same fans should provide an enormous ready-made audience, which should require only the information that Benny and Allen appear in person in avid pursuit of their air "feud."

The feud provides the central theme of the picture's story, which is no more weighty than it has to be, but serves adequately to set off the typical Benny and Allen technique of the "snappy retort." In support, and adding considerably to the film's comedy, is Eddie "Rochester" Anderson, Benny's butler. He pursues his own romance, with Theresa Harris, maid in the Allen household, with amusing results. Musical moments are supplied by the Merry Macs and Miss Martin.

Mary Martin is the romantic foil, in the role of Allen's niece and, eventually, Benny's wife, Veree Teasdale appears as Allen's sister. Mark Sandrich, who directed, permitted his comedian-heros to slap at each other verbally to their hearts' content, and that should please their fans. William Morrow, Edmund Beloin, Ernest Pagano and Z. Myers wrote the original screenplay. The burden of the story concerns the attempt of Allen, who hates the mere mention of Benny's name, to prevent the success of Benny's musical show, and anything else Benny tries to do.

Running time, 81 minutes. "G."* CHARLES S. AARONSON

*"G" denotes general classification.

'Alley' Is Omaha's Winner at $8,800

OMAHA, Dec. 18.—"Tin Pan Alley" grossed $8,800 at the Orpheum and "Bitter Sweet" was good for $7,600 at the Omaha. The Christmas slump has hit grosses. The weather was clear and warm.

Estimated takings for the week ending Dec. 11-12:

"East of the River" (W. B.)
"Queen of Destiny" (RKO)
BRANDIES—(1,200) (30c-40c-44c) 7 days. Gross: $4,300. (Average, $4,000)
"Bitter Sweet" (M-G-M)
"Our Town" (U. A.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $7,600. (Average, $6,000)
"Tin Pan Alley" (20th-Fox)
"Street of Memories" (20th-Fox)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $8,800. (Average, $7,200)

Repeat Car Giveaway

SEATTLE, Dec. 18.—So successful was last week's giveaway of two automobiles by the five largest downtown theatres that a repeat has been scheduled for Monday. The Liberty, Paramount, Fifth Avenue, Orpheum and Palomar theatres will participate.

KRS Explains Stand On Closed Theatres

LONDON, Dec. 18.—The Kinematograph Renters Society today issued a formal statement on the controversy with the Cinematograph Exhibitors Association on the distributor policy on theatres closed by the war.

The statement explained the distributor position, expressed sympathy for the exhibitor situation, and insisted the policy is not unreasonable, differentiating between theatres closed by bombing and those closed voluntarily. The statement promises the distributor organization will give a hearing to any suggestions the exhibitors have to make on the policy, to which the C. E. A. has taken strong objection.

Bausch & Lomb Bonus

ROCHESTER, Dec. 18. — An extra week's pay will be paid 5,400 employes by the Bausch & Lomb Optical Co. on Monday, the company has announced. The company has provided such bonuses in 1937 and 1939.

'Third Finger' Pulls $36,400, Leads Boston

BOSTON, Dec. 18.—"Third Finger, Left Hand" scored heavily, with a total of $36,400, taking $16,400 at Loew's State and $20,000 at Loew's Orpheum. It was dualed with "Dr. Kildare's Crisis" at both houses.

Estimated takings for the week ending Dec. 11:

"The Fargo Kid" (RKO)
"The Five Little Peppers in Trouble" (RKO)
"Rain" (M-G-M)
KEITH BOSTON—(3,200) (25c-35c-40c-55c) "Fargo Kid" and "Peppers" 4 days with vaudeville: "Funzafire" revue with Benny Meroff and orchestra, Ken and Roy Paige, Dianna Abbey, Al de Vito, 4 Sailorettes, Billy Morosco, 8 Daughters of Satan, Joe Bonnel, Louise Shannon, Hal Spiro, Terry Howard and cast of 60. "Rain" 3 days. Gross: $8,000. (Average, $8,000)
"Little Men" (RKO)
"A Night in the Tropics" (Univ.)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $9,000. (Average, $16,000)
"North West Mounted Police" (Para.)
"Youth Will Be Served" (20th-Fox)
METROPOLITAN—(4,367) (35c-44c-55c-65c) 7 days, 2nd week. Gross: $17,000. (Average, $15,500)
"South of Suez" (W. B.)
"Street of Memories" (20th-Fox)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $5,000. (Average, $7,500)
"South of Suez" (W. B.)
"Street of Memories" (20th-Fox)
FENWAY—(1,320) (25c-35c-40c-55c) 7 days. Gross: $3,200. (Average, $4,500)
"City for Conquest" (W. B.)
"Hit Parade of 1941" (Rep.)
SCOLLAY—(2,500) (25c-44c-55c) 7 days. Gross: $3,100. (Average, $4,000)
"Third Finger, Left Hand" (M-G-M)
"Dr. Kildare's Crisis" (M-G-M)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $16,400. (Average, $12,000)
"Third Finger, Left Hand" (M-G-M)
"Dr. Kildare's Crisis" (M-G-M)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $20,000. (Average, $17,500)

'Burma' and Show $18,000 in Detroit

DETROIT, Dec. 18.—A stage show headed by Bob Chester and his band and Frances Langford, with "Moon Over Burma" on the screen, garnered $18,000 at the Michigan. "Angels Over Broadway," and a stage show, "Streets of Paris," grossed $20,000 at the Fox.

Estimated takings for the week ending Dec. 12:

"Tin Pan Alley" (20th-Fox)
"Charter Pilot" (20th-Fox)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days, 3rd week. Gross: $5,500. (Average, $5,500)
"Knute Rockne—All American" (W. B.)
"Dulcy" (M-G-M)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,500. (Average, $7,000)
"Angels Over Broadway" (Col.)
FOX—(5,000) (20c-55c-65c) 7 days. Stage show: "Streets of Paris" with Think-A-Drink Hoffman, Marion & Hall, Hylton Sisters, Frank & Jean; Hubert, Ernesio & Talla, Pelch & Deauville, Ann Crosby, Don Richards, Peggy Alexander. Gross: $20,000. (Average, $15,000)
"Moon Over Burma" (Para.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Stage show: Bob Chester and orchestra, Frances Langford, Jon Hall, Dolores & O'Neil, Lorraine & Rognan, The Pitchmen. Gross: $18,000. (Average, $12,000)
"North West Mounted Police" (Para)
"A Night At Earl Carroll's" (Para.)
PALMS—(3,000) (25c-39c-55c) 7 days. Gross: $7,000. (Average, $7,000)

Remodel Northio House

HAMILTON, O., Dec. 18. — A new marquee, air-conditioning system, new lighting and other improvements are being installed at the Rialto, local unit of Northio Theatres, Inc.

Use of Music By NBC Down During 1940

Use of music over NBC networks dropped to 53.7 per cent of the total number of hours during 1940 from a high of 67.7 per cent in 1934, while dramatic programs increased to 21 per cent from a low of 10.8 in 1932. In 1939 music was 57.2 of the total and dramatic shows 20.1.

Hours of programming over the two networks will total 19,580 at the end of the year, it is estimated, as compared with 18,285 last year and 12,892 in 1932.

Of the total, the Red will have 8,548 hours, of which 44 per cent is sponsored and 56 sustaining, while the Blue will have 11,032 hours of which 25.3 per cent is sponsored and 74.7 sustaining.

During 1940, the total number of NBC affiliates increased from 180 to 220. Red stations increased from 119 to 131 and Blue from 61 to 87. Three Red stations and one Blue operate on dual call letters.

Other Classifications

Besides music and drama, which occupy three-quarters of the available time, talks used 8.7 per cent of the total hours; news, 8.9; sports, .8; comedy, 2.7; women's, 1.2; children's, 2.8; religion, .8. Commercial announcements, which occupy a large portion of network time, were not classified separately but were included among the general groupings.

Of the musical shows, 1,450 hours were sponsored and 8,943 sustaining. Twenty-five hours were devoted to opera; 702, classical; 1,662, semi-classical; 3,548, light music, and 4,456, dance music.

Of the dramatic shows, 3,292 were sponsored and 836 sustaining. General drama took 3,330 hours; comedy drama, 674, and prose and poetry, 124.

Sale of WMCA to Noble Is Approved

WASHINGTON, Dec. 18. — Sale of WMCA, New York, by Donald Flamm to Edward J. Noble was approved today by the FCC. Noble paid $850,000 for the 100 shares of stock of the Knickerbocker Broadcasting Co., licensee of WMCA.

Neither Flamm nor Noble would comment yesterday on the sale or make any statement on the future policy of the station. Flamm sold the station twice before but resumed ownership on each occasion. Noble is a former U. S. Under-Secretary of Commerce and was a member of the Civil Aeronautics Authority. He is head of Lifesavers Corp., manufacturers of candy.

Empire Union Moving

Empire State M. P. Operators Union will move its offices Monday from Brooklyn to 276 W. 43rd St., in Manhattan.

Off the Antenna

FOUR drug programs were renewed and another signed by CBS yesterday. E. R. Squibb & Son will start sponsorship of "Golden Treasury of Song" Dec. 30 over 42 stations. The program will be heard Mondays through Fridays at 3:15 P.M. Jan Peerce, David Ross and Victor Bay's orchestra will be heard. Colgate-Palmolive-Peet renewed four shows and changed agencies on three of them, effective Jan. 1. They are "Myrt and Marge," on 81 stations, Sherman & Marquette, agency; "Stepmother," 49 stations, Sherman & Marquette continues as agency; "Woman of Courage," 65 stations, Ted Bates, Inc., agency for the East, and Sherman & Marquette for the West; and "Hilltop House," 81 stations, Ward Wheelock.

• • •

Purely Personal: *Dinah Shore will remain in New York for an additional week after the Eddie Cantor cast entrains for Hollywood today. She is fulfilling a two-week vaudeville engagement for the Brandt circuit. . . . Charles Stark has been renewed on two shows, "Mother o' Mine" and "In Movieland." Stark is one of the few free lance announcers to be heard on sponsored programs on all three networks. . . . Martha J. Rountree and Walter Royall head a new radio production and transcription company, Radio House, Inc. . . . F. B. Ryan, Jr., vice-president of Ruthrauff & Ryan, has been named a member of the governing committee of the Cooperative Analysis of Broadcasting. . . . Shirley Ross will temporarily replace Carol Bruce on Tuesday when the Ben Bernie show starts broadcasting from Hollywood. . . . John Baker, baritone heard on WBNX Mondays, was guest soloist at the annual Christmas concert in Carnegie Hall yesterday of the "Downtown Glee Club."*

• • •

Stuart Canin, violinist who started the Allen-Benny feud by playing "The Bee" on Allen's show four years ago, was given a $1,000 scholarship to continue his violin studies by the comedians yesterday. Allen and Benny contributed $500 each.

• • •

WOR employes who enter the U. S. armed forces will receive the difference in Government pay and their present salaries for a period of three months, if employed by the station for a year or more; and for one month, if employed for less than one year. Alfred J. McCosker, president, has so advised employes. Seniority and other privileges will be deemed continuing during the period of service and accrued vacation time will be granted. First WOR employee to benefit is Albert Hoffman, talent salesman for the WOR Artists Bureau, who enlisted last week.

• • •

Program News: *George Fisher, Mutual Hollywood commentator, will start a new series next week, to be heard Tuesdays and Thursdays on 38 stations, sponsored by Marrow's, Inc. . . . A quiz with a legal slant called "Lawyer Q-Skull Busters" will start over WOR on Jan. 7 P.M. . . . P. Lorillard will sponsor the show which will be heard Tuesdays and Thursdays at 7:15 P.M. . . . Tommy Tucker's local "Pot o' Gold" show for Tums has been moved forward to a Jan. 8 starting date. . . . First band on the "Hit Parade" series from Army camps will be Eddy Duchin's on Saturday, Jan. 11. . . . Four members of WQXR's announcing staff, Rex Benware, William Strauss, Arch Kemper and Richard James, will be guests on "I Know What I Like" over WQXR Tuesday at 9 P.M.*

• • •

WNEW, which uses a merry little jingle instead of the customary formal station call letter announcement, will revise its jingle Monday to send greetings to listeners for the holiday season.

Form Coast Radio, Film Charity Group

HOLLYWOOD, Dec. 18.—The film and radio industries today formed the United Charities Committee to coordinate activities in the charities field.

On the suggestion of Samuel Goldwyn, chairman of the permanent charities committee, Harry M. Witt, president of the Southern California Broadcasters Association, agreed to appoint a radio charity committee and a group to work with the film unit.

Among those speaking at the luncheon were: Harry M. Warner, Walter Wanger, Harry Brand; Don Gilman, NBC; Donald Thornburgh, CBS; Harrison Holloway, National Association of Broadcasters; Kenneth Thomson, S.A.G.; I. B. Kornblum, Actors Equity and A.G.V.A.; Y. Frank Freeman, Producers' Association; Edward Arnold, S.A.G., and Sidney Buchman, S.W.G.

Rivoli Team Wins

The Rivoli Theatre basketball team beat the Paramount Theatre team this week at the Riverside Plaza by a score of 32 to 10.

Roosevelt Vetoes Walter-Logan Bill

WASHINGTON, Dec. 18. — President Roosevelt today vetoed the Walter-Logan bill, providing for judicial review of actions of administrative agencies, including the Federal Communications Commission, not now appealable to the courts.

The veto, which was expected, was based on an opinion by Attorney General Robert H. Jackson that the measure would not attain the objective at which it is aimed.

In his message to the House, the President explained that improvements in administrative processes, sought by the bill, will be brought about by a Committee on Administrative Law.

Idea Man Sues Bernie

Ben Bernie was named defendant yesterday in a suit for $13,000 damages filed in the N. Y. Supreme Court by James Lyons, who claims that Bernie used his idea for a broadcast on WABC.

FCC Approval Is Given for 4 New Stations

WASHINGTON, Dec. 18.—Construction of four new 250-watt broadcasting stations has been authorized by the Federal Communications Commission. The stations are to be built by Albert Joseph Meyer, Powell, Wyo., to operate on 1,200 kilocycles; C. T. Sherer Co., Inc., Worcester, Mass., to operate on 1,200 kilocycles; R. G. Le Tourneau, Toccoa, Ga., to operate on 1,420 kilocycles, and Oscar C. Hirsch, Cairo, Ill., to operate on 1,500 kilocycles.

Permits also were issued to Stations WKBW, Buffalo, for increase of power from 5,000 to 50,000 watts; KGNG, Amarillo, Tex., for increase of day power from 2,500 to 5,000 watts, and WELI, New Haven, for increase of power from 250 watts day, 500 watts night, to 500 watts day, 1,000 watts night. Station WLOG, Logan, W. Va., was authorized to extend its time from day to unlimited.

Applications Set for Hearings

The commission designated for hearing the new-station applications of Worcester Broadcasting, Inc., for a new 1,200-kilocycle, 250-watt station at Worcester, Mass.; Butler Broadcasting Corp., for a 1,420-kilocycle, 250-watt station at Hamilton, Ohio, and Old Colony Broadcasting Co., Inc., for an 1,160-kilocycle, 500-watt day station at Brockton, Mass., together with the requests of Stations WAGA, Atlanta, for change of frequency from 1,450 to 590 kilocycles and increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day, and WRDW, Augusta, Ga., for change of frequency from 1,500 to 1,450 kilocycles and increase of power from 250 watts to 500 watts night, 1,000 watts day.

A construction permit for a new 1,500-kilocycle, 250-watt broadcasting station has been asked by Broadcasters, Inc., San Jose, Cal.

Ask Increases in Power

The commission also received applications from Stations WESX, Salem, Mass., for increase of power from 100 to 250 watts; WHOM, Jersey City, for change of frequency from 1,450 to 1,560 kilocycles, increase of power from 500 watts night, 1,000 watts day, to 10,000 watts, and removal of transmitter from Jersey City to Long Island City, N. Y.; WMAS, Sprinfield, Mass., for change of frequency from 1,420 to 880 kilocycles, and removal of transmitter from Springfield to West Springfield, increasing power from 250 watts to 1,000 watts night, 5,000 watts day; WWSW, Pittsburgh, for change of frequency from 1,500 to 940 kilocycles, increase of power from 250 watts to 1,000 watts night, 5,000 watts day, and transmitter removal from Pittsburgh to McKees Rocks Boro, Pa.; WSIX, Nashville, for change of frequency from 1,210 to 950 kilocycles and increase of power from 250 watts to 1,000 watts night, 5,000 watts day, and KALB, Alexandria, La., for change of frequency from 1,210 to 580 kilocycles and increase of power from 250 to 1,000 watts.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 121 NEW YORK, U. S. A., FRIDAY, DECEMBER 20, 1940 TEN CENTS

Jack Benny Leads Radio Stars of 1940

700 Editors Are Polled For Fifth Year

By EDWARD GREIF

Jack Benny, star of the Sunday evening Jello series, was voted Champion of Champions of 1940 by more than 700 radio editors in the United States and Canada, queried by MOTION PICTURE DAILY in its fifth annual radio poll on behalf of *Fame*.



Jack Benny

Benny, who won the first MOTION PICTURE DAILY poll in 1936, regained the leadership which he lost to Edgar Bergen's Charlie McCarthy during the intervening three years.

Many other old favorites returned to top ranking while some former leaders dropped from grace. Dinah Shore, vocalist on the Eddie Cantor show, was picked by the editors as the Outstanding New Star of the Season, while Edward G. Robinson was

(*Continued on page 7*)

The complete tabulation of the voting in the "Motion Picture Daily" radio poll is on Page 7.

November Tax Total Reaches $7,124,225

WASHINGTON, Dec. 19.—Federal admission tax collections reached a new high level in November, to total $7,124,225, it was reported tonight by the Internal Revenue Bureau.

The month's receipts were nearly $500,000 above the October total of $6,628,430 and a full $5,000,000 above the November, 1939, collections of $2,117,644, the bureau announced.

For the first 11 months of the calendar year, the admission tax revenue was $36,829,342, compared with $17,900,777 for the corresponding period in 1939.

Much of the increase in November was accounted for in the Third New York (Broadway) District, where collections were $1,497,707.

Music Battle Centers on Stations as 4 Go to Ascap

Interest in the Ascap-radio battle yesterday shifted back to the struggle of both sides to capture the support of independent stations. From Boston came word that four stations there, WORL, WMEX, WCOP and WHDH, had signed with Ascap.

In Washington, consent decree negotiations between Government and Ascap attorneys continued but there was no indication when they would be completed. Informed sources declared that possibilities of a decree in the Government's anti-trust suit were "bright," but no time for agreement was forecast.

BMI officials continued to stress that there would be no settlement before Jan. 1 and urged station executives to proceed with preparations for the changeover. Officials said that discussion of settlement possibilities might cause station executives to slacken their preliminary moves and thus cause confusion on New Year's Day.

In New York, executives of the three major independent stations, WNEW, WMCA and WHN, remained undecided on the Ascap-BMI choice yesterday. Conferences have been held daily at the three stations

(*Continued on page 8*)

U. A. Sales Staffs Realigned; Masters New Western Chief

Appointment of Haskell M. Masters, United Artists managing director for Canada, as Western division manager for the company, was confirmed yesterday by Arthur W. Kelly, vice-president and distribution head, who revealed a new alignment of the company's domestic distribution staff.

That Masters was to be appointed was reported by MOTION PICTURE DAILY on Dec. 2.

Masters succeeds L. J. Schlaifer, who has been named a special representative by Kelly. Samuel Glazer, former district manager, was named Canadian manager succeeding Masters.

Harry L. Gold, vice-president, con-

(*Continued on page 4*)

500 Honor O'Shea, Bowen At Testimonial Luncheon

By SAM SHAIN

"It all sums up to just one big word—thanks."

This was Ted O'Shea talking, as the closing speaker and guest of honor, with Jack Bowen, at a luncheon given for them by friends and associates, at the Hotel Astor yesterday. The luncheon was occasioned by the promotion of O'Shea to a newly created post of Central Division Manager of M-G-M, and Bowen to the district sales managership which O'Shea vacates.



Ted O'Shea



Jack Bowen

More than 500 attended the party, and more than 100 who for business reasons were out of the city and therefore could not be present, telegraphed their compliments to the two men. There were several speakers, including Martin Quigley, president of Quigley Publishing Co.; Samuel Rinzler, Louis Nizer, William Rodgers, James J. Walker and Howard Dietz. Bronze plaques, in honor of the occasion, were presented to O'Shea and Bowen, on behalf of their friends by Leo Brecher.

At the request of O'Shea and Bowen, proceeds of the luncheon were contributed to the charity fund of the Motion Picture Associates.

(*Continued on page 4*)

U.S. to Dismiss 'Big Five' in Crescent Case

Similar Action Expected In Schine Suit

NASHVILLE, Dec. 19. — Arrangements for the dismissal of the five consenting companies as defendants in the Government's anti-trust suit against Crescent Amusement Co. and major distributors are in preparation here and will be completed early in January.

Dismissal of the Big Five in the Schine suit at Buffalo is expected to follow the dismissals here.

In January the Federal district court here will be asked to dismiss Loew's, Paramount, RKO, 20th Century-Fox and Warners, parties to the Government's New York consent decree, from the anti-trust suit pending here. The Government will continue an amended complaint against Crescent, Columbia, United Artists and Universal.

B'way Houses Feel Pre-Holiday Slump

Business was off at Broadway film theatres during the past week because of the pre-holiday season.

"Thief of Bagdad" with a stage show drew an estimated $64,000 in a second week at the Music Hall and was followed yesterday by "No, No, Nanette." "Third Finger, Left Hand" grossed an estimated $23,000 for its week at the Capitol and was followed by "Dr. Kildare's Crisis."

The fourth week of "The Letter" with Ozzie Nelson's band on the stage took an estimated $30,000 at the Strand, where "Santa Fe Trail" will open this morning. At the Roxy the fourth week of "Tin Pan Alley" with a stage show grossed an estimated $24,900. "One Night in the Tropics" opened there yesterday. The fifth week of "Fantasia" drew an estimated $20,000 at the Broadway.

Reviewed Today

A New York review of "No, No, Nanette" and a Hollywood review of "Where Did You Get That Girl?" will be found on Page 4.

Coast Flashes

Hollywood, Dec. 19

SIDNEY R. KENT, 20th Century-Fox president, and HERMAN WOBBER, general manager of distribution, arrived here today. Kent will attend the funeral of his brother, Ernest. He will attend product conferences later with Wobber and studio executives.

•

J. Cheever Cowdin, Universal board chairman, arrived today for studio meetings. His arrival was delayed several days because his plane was grounded in the Midwest by bad weather.

•

Universal today signed W. C. Fields to star in "The Great Man," for 1941-'42 release. The story, which Edward F. Cline will direct, has a South American background.

•

Landers Stevens, 64, father of George Stevens, director, died today in Hollywood Hospital of a heart attack. He became a screen actor in 1920 after a career on the stage.

W. B. Circuit Albany Zone Meeting Held

ALBANY, Dec. 19.—Zone Manager M. A. Silver of Warner Theatres held a pre-holiday season meeting of the 10 Eastern New York theatre managers in Albany yesterday.

In attendance were Charles A. Smakwitz and western New York district manager Ralph A. Crabill, zone booker Max Friedman and zone short subject booker Joseph Weinstein, and the following theatre managers:

Jules Curley, Strand; Mel Conheim, Ritz; Al LaFlamme, Madison, and Edward Selette, Albany, in Albany; Jack Swartout, American; Leo Rosen, Troy, and Sid Sommer, Lincoln, in Troy; Andrew M. Roy, Stanley; Arnold Stoltz, Avon, and Jack Breslin, Utica, in Utica.

Cagney, Bette Davis Will Star in Comedy

HOLLYWOOD, Dec. 19.—James Cagney and Bette Davis will be co-starred in Warners' "The Bride Came C.O.D." Production is scheduled to start on Jan. 2. The film will be directed by William Keighley from a script by Philip and Julius Epstein.

Lindy's INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

MR. and MRS. LEO SPITZ leave today for Chicago where they plan to remain a week before going to the Coast.

•

JOSEPH I. BREEN, Production Code Administrator, will spend Christmas in Philadelphia and leave for the Coast at the end of next week.

•

J. NOBLE BRADEN, executive secretary of the American Arbitration Association, will return tomorrow from Chicago.

•

RALPH AUSTRIAN, M. A. SCHLESINGER, ADOLPH ZUKOR, AUSTIN KEOUGH and JOHN W. HICKS having lunch yesterday at Nick's Hunting Room in the Astor.

•

CHARLES E. MCCARTHY, RODNEY BUSH, CLAUDE LEE, SAM SPRING, MAX WOLF, ROBERT CRAWFORD and RAY HENDERSON lunching yesterday at Sardi's.

FRANCES and ABE LASTFOGEL arrive tomorrow from Hollywood.

•

MRS. C. V. BLAKE, wife of the 20th Century-Fox managing director in Australia, is here from Sydney with her two children.

•

NAT SANDERS, distributor, left last night with MRS. SANDERS for a 10-day vacation in Miami.

•

MONROE GREENTHAL, EDWARD PESKEY and AL MARGOLIES having lunch at Lindy's (next to the Rivoli) yesterday.

•

JACK COHN, NATE SPINGOLD, MAURICE SILVERSTONE and JOSEPH MOSKOWITZ lunching at Lindy's (51st St.) yesterday.

•

PAT SCOLLARD, MILTON SILVER, ALEC MOSS and JEFFREY BERNERD at the Tavern yesterday for lunch.

Army Film Service Will Be Expanded

WASHINGTON, Dec. 19.—Recreation needs of the expanding Army will be fully met by the Army Motion Picture Service, it was assured today by the War Department.

It was disclosed that pending the construction and equipment of new theatres with funds appropriated by Congress, the service is financing from its own reserves emergency installations at new and enlarged camps and at small isolated posts.

Trainees now joining the Army have been advised that for a time they may see pictures which they have already seen, but were assured that this will prove only a temporary "inconvenience." The Army does not use first runs, but operates like neighborhood theatres. Programs are changed four times a week.

Young on Leave to Handle U. S. Task

WASHINGTON, Dec. 19.—James W. Young today was given an indefinite leave of absence from his post as director of the Bureau of Foreign and Domestic Commerce so that he may devote himself entirely to his duties as chairman of the Communications Division under the Defense Coordinator of Commercial and Cultural Relations between the American Republics. Young has supervision of the division's radio and press program developed by Nelson A. Rockefeller, coordinator.

Wanger on Radio Forum

Walter Wanger, producer, and Leo C. Rosten, director of the Motion Picture Research Project, will be heard in a discussion of "The Movies" over NBC-Red Sunday at 2:30 P. M. when the "University of Chicago Roundtable" moves to Hollywood. A third speaker has not yet been selected.

Keegan to Racine

MILWAUKEE, Dec. 19.—Jack Keegan has been appointed manager of Warner theatres in Racine, Wis. He formerly was district manager here.

Berge Is Named Aide to Jackson

WASHINGTON, Dec. 19.—Wendell Berge, special assistant to the Attorney General, who took an active part in the handling of the New York motion picture anti-trust suit, today was appointed acting Assistant Attorney General in charge of the criminal division by Attorney General Robert H. Jackson.

He succeeds John O. Rogge, who is resigning. Hugh B. Cox, formerly chief of the appellate section of the anti-trust division, has been named to succeed Berge as first assistant to Assistant Attorney General Thurman Arnold.

Commonwealth Shift Several Managers

KANSAS CITY, Dec. 19.—Durex Barrett II, who has been managing the Boone for Commonwealth Theatres at Columbia, Mo., has been transferred to Batesville, Ark., where he will assist Bill Headstream with the Melba. Barrett is the son of Rex Barrett, Columbia, Mo., manager for Commonwealth.

Frank Kennedy, who was at Batesville, goes to Searcy, Ark., as assistant to K. K. King, manager of the Rialto and Plaza. Kennedy replaces Jack Bomar, who has entered army service. Commonwealth has named Howard R. Wolfe, Jr., manager of the Benton, Kansas City, succeeding James Chapman.

'Thief' in Loew Houses

"The Thief of Bagdad," Korda-United Artists film, will open Wednesday as a Christmas attraction at Loew houses in the metropolitan New York area. The booking is for four days.

Frank Condon Dead

BEVERLY HILLS, Calif., Dec. 19.—Frank M. Condon, 58, author of many scenarios, including "The Miracle Man," died today at his home here. He was noted as a magazine writer and humorist.

Newsreel Parade

PRINCESS JULIANA at the White House, the delay in defense production and the Duke and Duchess of Windsor returning to the Bahamas are outstanding subjects in the week-end issues. The contents:

MOVIETONE NEWS, No. 30—War effort in Canada. Princess Juliana at the White House. Windsors sail from Miami. Family of six enrolls in the army. Mexico honors patron saint. Woodsmen at work in Australia. Fashions. Students learn to ski. Diamond Belt bouts.

NEWS OF THE DAY, No. 228—Biggest class at submarine school. Mexican air corps honored. Mexicans worship at shrine of the Lady of Guadalupe. "Santa Fe Trail" premiere. Diamond Belt bouts.

PARAMOUNT NEWS, No. 33—Windsors sail for Bahamas. Pan-American celebration in Mexico. Mexican pilots fly over volcano. Mrs. Roosevelt greets Princess Juliana. Train wreck in Mexico. Canada in drive to buy bombs for war. Bombing school in England. Army private has pet elephant. Arms production delay studied in Washington; Murray and Green discuss the issue. Skiing at Utah.

RKO PATHE NEWS, No. 33—Princess Juliana at the White House. Labor chiefs pledge defense supoprt. Six in one family join the army. New Housing Administrator sworn in. Skiing in Utah. Plastic products displayed in Washington. Diamond Belt bouts.

UNIVERSAL NEWSREEL, No. 938—Murray and Green pledge defense aid. Train wreck in Mexico. Windsors sail after visit here. Army gets new searchlights. Princess Juliana at the White House. New York Indians receive cloth from the Government. Snow carnival in Utah. Mexicans worship patron saint. Premiere of "Santa Fe Trail." Diamond Belt bouts.

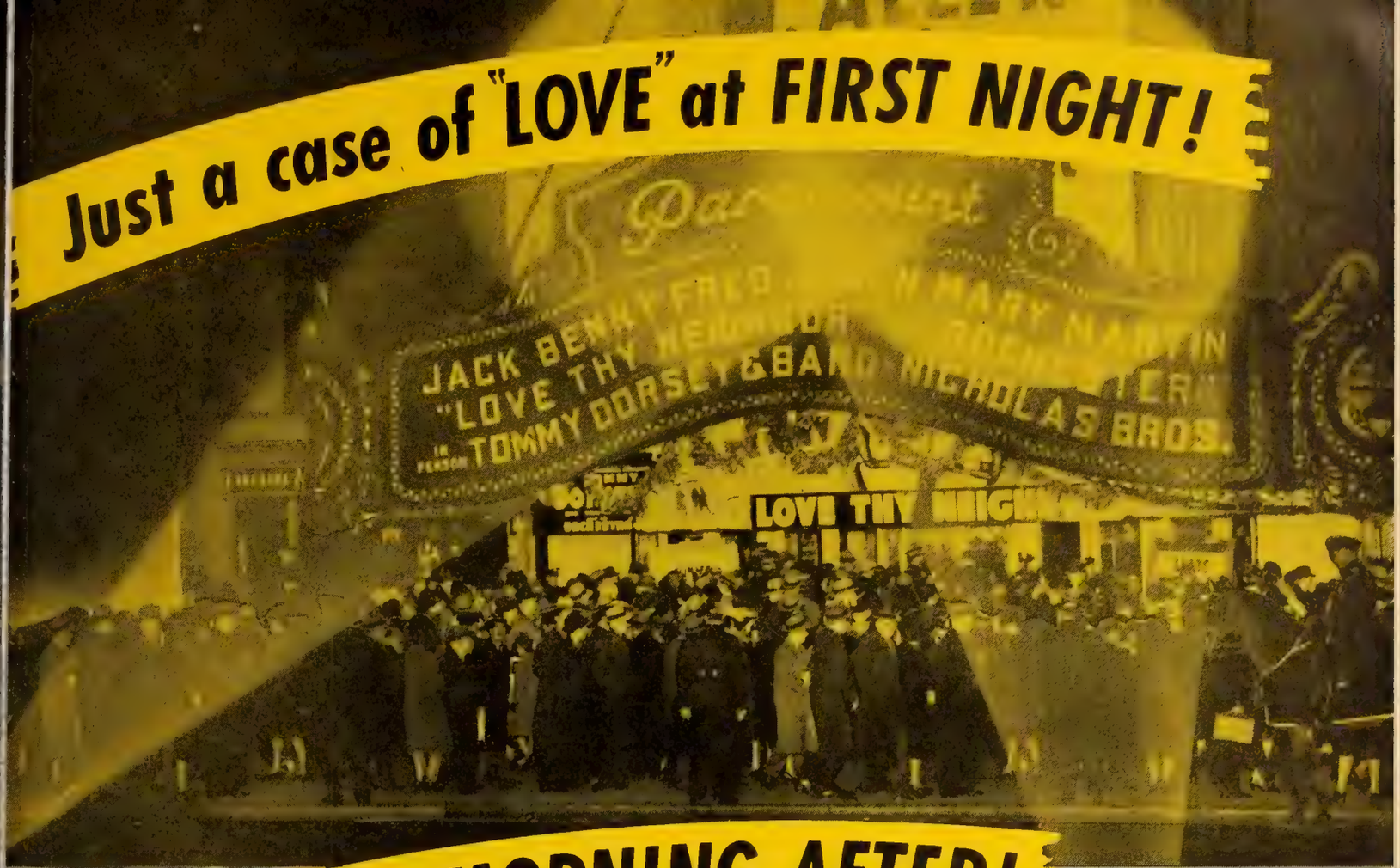
Urges Test Case on Ad Law in Milwaukee

MILWAUKEE, Dec. 19.—After giving a suspended sentence to James Koutroules, driver of a truck to which were attached two signs advertising a film, District Judge Harvey L. Neelen suggested that anyone contemplating this form of advertising first get an opinion from the City Attorney's office.

Koutroules was charged with violating the billboard ordinance which the court proposed be tested in court. The court commented: "What of a person who passes out handbills on a corner? What is the difference if he puts a sign on an automobile? Perhaps the ordinance might be construed as interfering with free expression."

MOTION PICTURE DAILY
(*Registered U. S. Patent Office*)
Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

Just a case of "LOVE" at FIRST NIGHT!



-and what a MORNING AFTER!



CROWDS...CROWDS...CROWDS... jamming the N.Y. Paramount for the biggest World Premiere in Broadway history. Lines reaching to Ninth Avenue...100 cops to handle the jam! ***And the box office take is running neck and neck with "NORTH WEST MOUNTED POLICE", which played at advanced prices!*** Pre-Christmas slump? Not with Paramount!

Paramount Pictures

Leaders Laud O'Shea, Bowen At Luncheon

(*Continued from page* 1)

In addressing the gathering, Mr. Quigley stated:

"An occasion like this serves to remind us of the reasons why our country is called the land of opportunity.

"The occasion may also well remind us that the industry of motion pictures is most especially a business of opportunity.

"We are met today to compliment and congratulate two of our friends and colleagues of the industry who have done exceedingly well by the opportunities which the nation and the industry have afforded to them.

"We are helping Ted O'Shea and Jack Bowen to mark, today, their advancement into posts of greater responsibility and greater opportunity. These advancements, coming as they do following many years of faithful, industrious and constructive service to the business of motion pictures, carry inherent guarantees of greater accomplishments on the part of Ted O'Shea and Jack Bowen in the years to come.

"It is indeed an agreeable privilege to add these words to today's rejoicing, alongside of very hearty best wishes for the years to come."

Rodgers Speaks

William F. Rodgers, general sales manager of M-G-M, said that the great gathering of friends was a tribute to the two men and the work they were doing for themselves and the company. He stated that they had earned their promotions by their work, and that their work as well as his own and the work of other executives in the company was inspired by the leadership of their chief, Nicholas M. Schenck.

Rodgers also stated that it was heartening to see so many in the business, buyers and sellers, rub elbows together in friendship at affairs like this, and that if there were some among the audience who expected that he would address the gathering on M-G-M's 1941 sales terms, they would be disappointed, as the company's plans are not yet fully set, but that he could say this—"Gone With the Wind," will not be sold in 1940-41 at 70 percent.

James J. Walker, former Mayor of New York City, also paid tribute to the type and purpose of the affair and said he had a "passing notion of the consent decree," and that he was "glad to see that the industry intends to be cooperative in this regard and is beginning in proper style by holding luncheons in 'groups of two.'"

Louis Nizer also touched upon the consent decree in his address and spoke of the industry's cooperation with the Government to make it workable. He paid tribute to O'Shea and to Bowen, whom he described as having earned their promotions "by their reputations."

Howard Dietz also complimented the guests of honor, and Samuel Rinzler, head of the Randforce Circuit, was another to do likewise.

"While I was awaiting my turn to address you," Rinzler began, "Harry Brandt approached me and asked me to be brief—and so, after having studied Louis Nizer's book, 'Thinking on Your Feet,' I have prepared a speech, by copying half or more of that book, so if you will, please relax, I will talk to you for an hour or two. Nizer's book will teach you how to speak at anything from a Bar Mitzvah to a wedding.

"Before I walked up to this dais, I met Jack Bowen, and he looked nervous, and I asked him:

"'Why are you nervous?'"

"'Because I have to make a speech,'" he said.

"'Now, don't worry,' I told him. 'You don't have to make a speech. Ted and you are being promoted and honored because you are good salesmen, not because you should make speeches. Your job is to sell pictures. Let the bosses make the speeches.'"

Harry Brandt, president of the New York I.T.O.A., was chairman of the luncheon committee and toastmaster. He complimented the committee on its work. Arthur Rapf was treasurer of the committee. Joseph J. Lee headed the ticket committee.

Among those in attendance, in addition to the dais guests already mentioned, were: T. J. Connors, Edward Saunders, Max A. Cohen, Charles C. Moskowitz, Walter Vincent, Terry Ramsaye, John J. O'Connor, Colvin Brown, Ed Fay, Maurice Kann, Jack Alicoate, Fred Schwartz, Leo Brecher, Ralph Pielow, Ben Abner, Bob Wolf, William Brandt, David Weinstock, Sam Rosen, William Ferguson, Louis Gans, Joseph Lee, Morris Sanders, W. Heineman, I Hirsch, J. J. Unger, M. Kusell, Morris Kutinsky, William Levine, Harold Rinzler, Emanuel Frisch, J. M. Springer, Si Seadler, Sam Sax and J. R. Vogel.

Feature Reviews

"No, No, Nanette"

(RKO)

THE lilting and tuneful music of this musical show which was a Broadway stage hit five years ago should send audiences out of the theatre humming and whistling, in its transplantation to the screen by Herbert Wilcox for release by RKO.

It is amusing entertainment, aided immeasurably by the tuneful melodies which made it famous. There is the same enduring quality today about "I Want to Be Happy" and "Tea for Two," as when they stirred popular enthusiasm in 1925, when Vincent Youmans wrote them.

The light and frothy story of the timid little husband of the very wealthy wife who holds the purse strings in a vise-like grip, and the scrapes he gets into because he cannot resist a pretty face, is reenacted here with the comic touch always uppermost.

Anna Neagle is charming and sings attractively in the role of the niece, Nanette, whose attempts to get her uncle out of his constantly recurring difficulties nearly ruin her own romance. Roland Young is delightful as the meek uncle, Helen Broderick excellent as his penny-pinching wife, and Richard Carlson and Victor Mature, are the artist and producer, respectively, whose competition for her hand complicates her already difficult uncle problem. Zasu Pitts is amusing as the sharp-tongued maid.

Herbert Wilcox produced and directed the film. Ken Englund prepared the screenplay.

Running time, 96 minutes. "G."* CHARLES S. AARONSON

"Where Did You Get That Girl?"

(Universal)

Hollywood, Dec. 19.

THIS is another in Universal's series of films based on modern versions of once popular songs. In this instance, the song by Harry Puck and Bert Kalmar supplies the title for the film, which depicts the activities of a group of New York youngsters. After borrowing instruments from a pawn shop, they form a band and attempt to get on a transcontinental radio program. They finally reach fame, but not without becoming innocently involved in a burglary, being sought by the police and entangling themselves comically.

Leon Errol as the Scotch pawnbroker, Helen Parrish and Charles Lang as the romantic interest, and Eddie Quillan, Franklyn Pangborn, Stanley Fields and Tom Dugan head the cast.

"Sergeant Swing" and "Rug Cuttin' Romeo," by Milton Rosen and Everett Carter, are the other two songs featured.

Jay Dratler, Paul Franklin and Stanley Crea Rubin, in adapting the former's original story, achieved a medley of song, comedy and action. Arthur Lubin directed, with Joseph G. Sanford as associate producer.

Running time, 67 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Garnett Due Tomorrow

Tay Garnett, director, arrives here tomorrow for a brief vacation. On his return, he will stop off at Lincoln, Neb., for the opening of Richard A. Rowland's United Artists production, "Cheers for Miss Bishop," which he directed.

Ski Film at 55th St.

"They Met on Skis," French film, will open at the 55th St. Playhouse tomorrow, following the run of "The Man of the Hour."

Walter Pidgeon Here

Walter Pidgeon arrived last night from Washington. He will return to the Coast Sunday.

U. A. Sales Staffs Realigned; Masters New Western Chief

(*Continued from page* 1)

tinues as Eastern sales manager. The Canadian district, however, has been transferred from the Eastern division to the Western division. In addition, the Eastern division has been divided into four instead of three districts, with Arthur Silverstone, former assistant to Gold, in charge of the new district. The Western division has been divided into two instead of three districts in the United States, apart from the addition of the Canadian district.

Managers of the Eastern districts are:

Charles Stern, District No. 1, comprising New York, New Haven and Boston; Arthur Silvertsone, District No. 2, Philadelphia and Washington; Bert Stearn, District No. 3, Pittsburgh, Cleveland, Cincinnati, Indianapolis and Buffalo; Hugh Owen, District No. 4, Charlotte, New Orleans, Atlanta and Dallas.

Managers of the Western districts: Irving Schlank, former Chicago branch manager, in charge of District No. 1, comprising Chicago, Milwaukee and Minneapolis, replacing Jack Goldhar, who has been named special field representative for Masters; J. S. Abrose, former Milwaukee branch manager, in charge of District No. 2, Omaha, Kansas City and St. Louis, a newly added district in the division; Ben Fish, continues in charge of District No. 3, Denver, Salt Lake City, Los Angeles, San Francisco and Seattle, and Sam Glazer, in charge of District No. 4, Canada.

Kelly said that United Artists will augment its playdate department with additional personnel in the near future and that promotions of salesmen to branch managerial vacancies will be made by the two division managers. He said that all appointments will be made from the ranks, and paid tribute to the "efficiency and effectiveness" of the company's sales personnel, the majority of whom have been with the company for 10 to 20 years.

Independents' 1939 Gross Increased

WASHINGTON, Dec. 19.—The 1939 gross of 214 independent film exchanges in the country was $32,544,000, according to preliminary figures of the United States Census Bureau, disclosed today. This compares with $27,001,000 reported by 165 exchanges in 1935.

The figures disclosed that during 1939, 214 independent film exchanges in the country employed an average of 1,693 persons last year, as compared to 946 in 1935, and total payrolls of the exchanges for the two years were $4,107,000 against $1,691,000, according to preliminary figures.

Bureau officials pointed out that the figures did not include major companies, since they are covered in figures on manufacturers' sales branches, in which amusements and sporting goods were combined. That report showed that 446 establishments had sales last year of $322,918,000. A breakdown as between film sales and sporting goods was not available.

'Kelly' Draws Frisco Lead With $17,500

SAN FRANCISCO, Dec. 19.—"Little Nellie Kelly" and "Dr. Kildare's Crisis" did $17,500 at the Fox, with the weather fair but Christmas shopping heavy. "The Great Dictator" ended four weeks at the United Artists with $8,000.

Estimated takings for the week ending Dec. 10-13:

"Remedy for Riches" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $13,500. (Average, $15,000)
"Little Nellie Kelly" (M-G-M)
"Dr. Kildare's Crisis" (M-G-M)
FOX — (5,000) (15c-35c-40c-50c) 7 days. Gross: $17,500. (Average, $16,000)
"Margie" (Univ.)
"Escape to Glory" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days. Gross: $7,700. (Average, $8,000)
"Tin Pan Alley" (20th-Fox)
"Haunted Honeymoon" (M-G-M)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $10,500. (Average, $11,500)
"The Great Dictator" (U. A.)
UNITED ARTISTS—(1,200) (75c-$1.10) 7 days, 4th week. Gross: $8,000. (Average, $8,000)
"Lady With Red Hair" (W. B.)
"East of the River" (W. B.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $5,500. (Average, $6,000)
"Here Comes the Navy" (W. B.)
"Always a Bride" (W. B.)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days. Gross: $10,000. (Average, $12,000)
"The Baker's Wife" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days, 2nd week. Gross: $700. (Average, $1,000)

Kansas City Gross Ruined by Shopping

KANSAS CITY, Dec. 19.—Christmas shopping cut so heavily into theatre business here that no theatre succeeded in grossing even average at the box-office. "A Little Bit of Heaven" and a stage show at the Tower drew the best comparative gross, $5,200.

Estimated takings for the week ending Dec. 10-12:

"One Night in the Tropics" (Univ.)
ESQUIRE—(800) (28c-44c) 7 days. Gross: $1,600. (Average, $2,200)
"Little Nellie Kelly" (M-G-M)
"The Lone Wolf Keeps a Date" (Col.)
MIDLAND—(4,000) (28c-44c) 7 days. Gross: $7,500. (Average, $9,500)
"Arise, My Love" (Para.)
NEWMAN—(1,900) (28c-44c) 7 days, 2nd week. Gross: $4,700. (Average, $7,000)
"The Letter" (W. B.)
"Dancing on a Dime" (Para.)
ORPHEUM—(1,500) (28c-44c) 7 days. Gross: $3,900. (Average, $5,000)
"A Little Bit of Heaven" (Univ.)
TOWER—(2,200) (30c) 7 days. Stage: Charlie Moore with Suzie, Wally Rand, and the Three Ross Sisters. Gross: $5,200. (Average, $6,000)
"One Night in the Tropics" (Univ.)
UPTOWN—(2,000) (28c-44c) 7 days. Gross: $1,800. (Average, $3,000)

Manages Conn. House

WILLIMANTIC, Conn., Dec. 19.—Norbert Aubin is the new manager of Steve Panora's Strand, succeeding Mike Sabine, resigned.

Open Two in Phila.

PHILADELPHIA, Dec. 19.—Warners will reopen two neighborhood houses on Christmas Day, the Alahambra and Wishart.

3-Year French Film Supply Is Available

Although French production is virtually at a standstill, there is a three-year supply of that country's product, dating from 1937 to 1940, which still has not been shown in this country, according to I. E. Lopert, distributor of foreign product.

He explains the situation as based on the fact that foreign films always have been brought to the United States several years after their release abroad. Lopert's viewpoint is at variance with the general belief that there is no more French product available for this market.

Among the French films cited by Lopert as here now, being held in customs warehouses or en route here via Canada and Latin America are: "Hotel du Nord," "Le Roi S'Amuse," starring Raimu, which had a long run of 17 weeks in London; "Nine Bachelors," produced by Sascha Guitry; "Schpountz," produced by Marcel Pagnol; "Joffroi"; "Pepe le Moko," from which "Algiers" was made; "Pieges," with Maurice Chevalier; "Remorques," with Jean Gabin; "L'Enfer des Anges" and others.

'Story' Draws Big $17,000 Cincinnati

CINCINNATI, Dec. 19.—"The Philadelphia Story" pulled a tremendous $17,000 at advanced prices at the RKO Palace, where it is set for an indefinite stay. "Tin Pan Alley" had a big $6,300 second week at Keith's, but business at the other houses was not up to average.

Estimated takings for the week ending Dec. 11-14:

"Little Nellie Kelly" (M-G-M)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $9,600. (Average, $12,000)
"The Philadelphia Story" (M-G-M)
RKO PALACE—(2,700) (42c-60c) 7 days. Gross: $17,000. (Average, at 33c-40c-50c, $10,000)
"The Great Profile" (20th-Fox)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days. Gross: $2,400. (Average, $5,000)
"Hit Parade of 1941" (Rep.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $4,000.
"The Letter" (W. B.)
RKO LYRIC—(1,400) (28c-33c) 7 days, 3rd week. Gross: $3,3000. (Average, $4,500)
"The Mummy's Hand" (Univ.)
"Pony Post" (Univ.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,000. (Average, $1,200)
"The Fargo Kid" (RKO)
"Dangerous Cargo" (Film Alliance)
RKO FAMILY—(1,000) (15c-28c) 3 days Gross: $800. (Average, $800)
"Tin Pan Alley" (20th-Fox)
KEITH'S—(1,500)(33-40c-50c) 7 days, 2nd week. Gross: $6,300. (Average, $5,000)

Indianapolis Gives 'Nellie Kelly' $8,500

INDIANAPOLIS, Dec. 19. — "Little Nellie Kelly" and "Sky Murder" at Loew's drew $8,500 in a week of cold weather. "The Letter" and "I'm Nobody's Sweetheart Now" did $6,000 at the Indiana.

Estimated takings for the week ending Dec. 12-13:

"Tin Pan Alley" (20th-Fox)
"Murder Over New York" (20th-Fox)
CIRCLE—(2,800) (28c-33c-44c) 7 days, 2nd week. Gross: $4,200. (Average, $6,000)
"The Letter" (W. B.)
"I'm Nobody's Sweetheart Now" (Univ.)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $6,000. (Average, $5,500)
"Little Nellie Kelly" (M-G-M)
"Sky Murder" (M-G-M)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $8,500. (Average, $7,000)
"South of Suez" (W. B.)
LYRIC — (2,000) (28c-33c-44c) 7 days. Stage: Harry Howard's 1941 "Hollywood Hotel" Revue. Gross: $8,200. (Average, $8,000)

Short Subject Reviews

'Bring Himself Back Alive"

(*Paramount*)

Hyde Skinner, jungle trapper, is the central character in a not too amusing cartoon. Also concerned are a turtle employed by Skinner, Leo the Lion and others. Skinner attempts to trap Leo but is caught himself and with a stick of dynamite to make it more effective. Running time, 7 mins.

"Popular Science JO-3"

(*Paramount*)

A splendid assortment of subjects is shown in color, the first being the results of expert cross-pollination on an Oklahoma farm. The newly developed rubber hydrochloride follows and then, for sake of diversion, the crackpot "Wizard of Waukesha" demonstrates a device to prevent lamb chops from burning. The cause of dust explosions and a new form of eye-glass complete the reel. The short is interesting and will probably engage the attention of all audiences. Running time, 10 mins.

'Chinese Garden Festival'

(*Republic*)

Harriet Parsons is provided with an ideal setting for the initial episode in her new "Meet the Stars" series, a Chinese garden festival at Mary Pickford's celebrated "Pickfair". Film personalities are seen at every turn of the camera while Vera Vague and Cliff Nazarro interrupt with brief comedy interludes. Running time, 10 mins.

"Johnny Messner and His Orchestra"

(*Paramount*)

A swing session conducted by Maestro Messner and featuring Jeanne D'Arcy, vocalist, and "Professor Koleslaw," pianist, this "Headliner" is the typical musical short embellished with a few specialty numbers. The tunes include "Hit the Road," "Ain't You Ashamed" and "The Panic is On." Running time, 11 mins.

"March of Time, No. 5"

(*RKO*)

"Labor and Defense—1941," as the latest March of Time reel is called, is an excellent birdseye view of the growth of labor organizations during the past 40 years and the immediate problems which it faces, particularly in view of the defense program. On a subject concerning which there is so much heated and partisan feeling, it is likely that the reel may become the subject of much discussion. However, a real effort has been made to steer a middle course and the subject probably will be received as a non-partisan narration by most.

Included in the reel are shots of labor riots, scenes during the first World War, and pictures of Samuel Gompers, Eugene V. Debs, William Green, John L. Lewis, Philip Murray and Sidney Hillman. Interesting, too, are shots of labor leaders and industrial executives presenting their arguments and a scene of negotiators at work adjusting the differences. A worthwhile production which deserves good screen time. Running time, 19 mins.

"Raggedy Ann"

(*Paramount*)

This two-reel Fleischer cartoon in color is exceptionally well done in all departments and should make a distinctive addition to holiday programs everywhere. Beginning with an adaptation of Johnny Gruelle's "Raggedy Ann" stories, the subject has been given particular production care throughout with the result that it takes a place among the better animated cartoons.

The story concerns a pair of dolls, Raggedy Ann and Raggedy Andy, and why they are sewn together and must never be separated. The little girl who visits the toy shop with money enough to buy only one of them is made happy by receiving the pair as a gift after hearing their story. Although obviously suited for children, the production is so well done as to be pleasing to adults, as well. Running time, 18 mins.

Theatre Changes

To Reopen Two in Ohio

CINCINNATI, Dec. 19.—Ralph Kinsler, general manager of the Pela Amusement Co., has disclosed that the 500-seat Lyric in suburban Reading, and the 750-seat Pendrola, in nearby Lockland, closed by the company a few years ago, will be reopened upon completion of remodeling now in progress.

Install New Sound System

INDIANAPOLIS, Dec. 19.—In order that a new sound system can be installed, the 3,200-seat Indiana has closed for a short time.

Sell Ironton, Ohio, House

IRONTON, O., Dec. 19.—John and Charles Rist have sold the Capitol Theatre building here to M. D. Garred, of Ashland, O., who will continue to operate the house.

Sells Theatre in Iowa

PRIMGHAR, Ia., Dec. 19.—Joseph Steig, who has operated the Time Theatre here for the past four years, has sold it to J. R. Richardson of Yankton, S. D.

Buys Ontario House

TORONTO, Dec. 19.—Leonard Lush has sold the Berford Theatre, Wiarton, Ont., to Sam Merlina, owner of the Uptown Theatre, Orangeville, who will personally operate the house. James Merlina, a brother, will assume the management of the Uptown at Orangeville.

Plan House in Virginia

MARTINSVILLE, Va., Dec. 19.—Plans for construction of a new theatre in South Martinsville, to cost about $15,000, have been set by Dr. E. M. McDaniel.

'Alley' Draws Seattle Lead With $7,600

SEATTLE, Dec. 19.—"Tin Pan Alley" at the Fifth Avenue as a single feature took $7,600. Most other films were below normal, with holiday shopping beginning to cut into box-office takes. The weather was clear and cold.

Estimated takings for the week ending Dec. 13:

"Escape" (M-G-M)
"Hullabaloo" (M-G-M)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $3,800. (Average, $4,000)
"Tin Pan Alley" (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $7,600. (Average, $7,000)
"So You Won't Talk" (Col.)
"Blondie Plays Cupid" (Col.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days. Gross: $4,900. (Average, $5,000)
"North West Mounted Police" (Para.)
MUSIC BOX—(950) (40c-50c-65c) 7 days, 3rd week. Gross: $4,100. (Average, $4,000)
"East of the River" (W. B.)
"The Lady with Red Hair" (RKO)
ORPHEUM—(2,400) (30c-40c-50c) 7 days. Gross: $4,500. (Average, $6,000)
"Sandy Gets Her Man" (Univ.)
"The Girl from Havana" (Mono.)
PALOMAR — (1,500) (20c-30c-40c-50c) 7 days. "Ice Frolics" on stage. Gross: $4,900. (Average, $5,000)
"You'll Find Out" (RKO)
"I'm Still Alive" (Para.)
PARAMOUNT — (3,050) (30c-40c-50c) 7 days. Gross: $5,300. (Average, $6,000)

Providence Gives 'Story' Big $17,000

PROVIDENCE, Dec. 19.—"The Philadelphia Story" and "Gallant Sons," dualed at advanced prices at Loew's State, took $17,000. At the RKO Albee, "The Long Voyage Home" and "Meet the Wildcat" took $7,300.

Estimated takings for the week ending Dec. 11-12:

"The Long Voyage Home" (U. A.)
"Meet the Wildcat" (Univ.)
RKO ALBEEE—(2,239) (28c-39c-50c) 7 days. Gross: $7,300. (Average, $6,000)
"The Philadelphia Story" (M-G-M)
"Gallant Sons" (M-G-M)
LOEW'S STATE—(3,232) (35c-50c-65c) 7 days. Gross: $17,000. (Average, $11,000)
"Lady with Red Hair" (W. B.)
"Tugboat Annie Sails Again" (W. B.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $4,000. (Average, $7,000)
"Arizona" (Col.)
"Blondie Plays Cupid" (Col.)
STRAND—(2,200) (35c-50c-65c) 7 days, 2nd week. Gross: $6,000. (Average, $6,000)
"Let George Do It" (Film Alliance)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with Gene and Glen; Gray Gordon's Tic-Toc Orchestra; Buster West and Lucille Page; and The Four Mills Brothers. Gross: $3,700. (Average, $7,000)
"Tin Pan Alley" (20th-Fox)
"Street of Memories" (20th-Fox)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $3,500)
"The Trail Blazers" (Rep.)
"Murder Over New York" (20th-Fox)
FAY'S—(1,800) (15c-28c-39c) 7 days. Gross: $2,900. (Average, $2,500)
"They Knew What They Wanted" (RKO) (3 days)
"The Great Profile" (20th-Fox) (3 days)
"City for Conquest" (W. B.) (4 days)
"Too Many Girls" (RKO) (4 days)
EMPIRE—(2,200) (20c-28c) 2nd run. Gross: $1,600. (Average, $1,700)

20th-Fox Renews Leases

A 10-year lease has been signed by 20th Century-Fox for its present exchange quarters in Indianapolis, and a five-year lease has been taken on the Calgary office. Both will be remodeled and re-equipped, and the Calgary quarters enlarged.

Showmanship Flashes

School Tieup Features Promotion on 'Liberty'

WILLIAMSPORT, Pa., Dec. 19.—William P. Wilson, manager of the Rialto here, devised an elaborate campaign for "Land of Liberty," the M. P. P. D. A.-sponsored feature released by M-G-M. Keynote of Wilson's campaign was the school angle, with a tieup arranged with Dr. A. M. Weaver, superintendent of schools here, following a special screening attended by civic and group leaders of the city. For the premiere itself, a parade was staged to the theatre, and the lobby was appropriately decorated.

Special Midnight Showing of 'Villain'

MILWAUKEE, Dec. 19.—Several of the Warner houses in Wisconsin, including the Venetian in Racine and the Sheboygan in Sheboygan, in exploiting "The Villain Still Pursued Her" played the film at a special midnight old time show in connection with a number of old films including the Jack Dempsey and Jess Willard fight pictures and a barber shop quartette on the stage.

Contest and Store Tieup Employed 'Bitter Sweet'

ST. LOUIS, Dec. 19.—An arrangement with the St. Louis *Star-Times* for a turkey coloring contest highlighted the exploitation campaign on "Bitter Sweet," at Loew's State. Stores cooperated in the full-page ad, which exploited the film. Jeanette MacDonald made a personal appearance for a night at a recital a few nights before the film opened, and Advertising Director James Harris distributed heralds announcing the film at the concert. Also, Harris had announcements imprinted on menus in 30 Walgreen stores.

Chocolate Wrappers Plug 'Bitter Sweet'

A "natural" tieup arranged by M-G-M with the manufacturers of Hershey and Suchard chocolates was that on "Bitter Sweet." The wrappers of the small tablets of candy of the bitter sweet variety were imprinted with copy on the picture.

Staten Island Campaign Employed for 'Rockne'

Warners' "Knute Rockne-All American," playing at Fabian's St. George Theatre, Staten Island, was accorded a special promotional campaign keynoted by Borough President Joseph Palma, who set aside "Knute Rockne Week." A full page tribute to the late coach was inserted in the Staten Island papers, and reproductions were placed in the lobbies of other Fabian houses in the area. School tieups also were arranged. The campaign was handled by Edgar Goth, publicity director, and Arthur Lane, manager of the house.

Calling Cards Used On 'You'll Find Out'

OMAHA, Dec. 19. — To publicize "You'll Find Out," Louise Cotter of the Brandeis Theatre had calling cards printed with the words "You'll Find Out" in black letters. In the corner was the theatre's phone number in small figures. The house reported it received many calls.

Employ Stage Wedding For 'Hired Wife' Run

Philadelphia, Dec. 19.—The Keswick, in the suburban Glenside section, promoted a real stage wedding in conjunction with the showing of "Hired Wife." Rosalind Russell, star of the picture, made a gift of $100 to the bride and groom, a check for which was telegraphed to the couple from the Universal studios.

'Laugh Clinic' Used for 'Road Show' Opening

When the Hal Roach-U. A. film, "Road Show," opened at the Stanley in Pittsburgh, Frank N. Seltzer, Roach publicity director, concentrated on the laugh angles of the picture He set up "laugh clinics" in the lobby of the house, in Gimbel's department store and in a special trailer sent through the city. Also, a phonograph record on cardboard, but perfectly "playable," containing recordings on two of the picture's songs, have been sent to exhibitors.

'Howards' Scores $7,300 in Toronto

TORONTO, Dec. 19.—"The Howards of Virginia" on a dual bill at the Imperial drew $7,300. "Escape" garnered $7,100 for the second week at Loew's. Bad weather and shopping hurt business.

Estimated takings for the week ending Dec. 12-14:

"The Howards of Virginia" (Col.)
"Blondie Plays Cupid" (Col.)
IMPERIAL—(3,373) (15c-25c-35c-50c-65c) 6 days. Gross: $7,300. (Average, $9,000)
"Escape" (M-G-M)
LOEW'S—(2,074) (15c-25c-35c-50c-65c) 6 days, 2nd week. Gross: $7,100. (Average, $9,000)
"A Little Bit of Heaven" (Univ.)
"A Night at Earl Carroll's" (Para.)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days. Gross: $6,000. (Average, $7,500)
"City for Conquest" (W. B.)
"Down Argentine Way" (20th-Fox)
TIVOLI — (1,434) (15c-25c-40c) 6 days. Gross: $2,500. (Average, $3,900)
"Let George Do It" (British)
UPTOWN—(2,761) (15c-25c-35c-50c-65c) 6 days, 2nd week. Gross: $5,500. (Average, $9,000)

'Suez,' Stage Show $14,500, Cleveland

CLEVELAND, Dec. 19. — Christmas shopping has cut into attendance. "South of Suez," with George White's "Scandals" on the RKO Palace stage, drew $14,500. "North West Mounted Police" in its second week at the Stillman made $5,000.

Estimated takings for the week ending Dec. 12:

"Mark of Zorro" (20th-Fox)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $3,500. (Average, $4,000)
"Tin Pan Alley" (20th-Fox)
WARNERS' HIPPODROME—(3,800) (33c-39c-47c) 7 days. Gross: $10,500. (Average, $11,000)
"South of Suez" (W. B.)
RKO PALACE — (3,100) (33c-47c-55c) "Scandals" on stage. 7 days. Gross: $14,500. (Average, $13,500)
"Little Nellie Kelly" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $8,000. (Average, $11,000)
"North West Mounted Police" (Para.)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days, 2nd week. Gross: $5,000. (Average, $4,000)

Minneapolis Gives 'Burma' Good $13,500

MINNEAPOLIS, Dec. 19.—Pre-Christmas shopping held grosses down here. "Moon Over Burma" and a stage show headed by Billy Gilbert, took $13,500 at the Orpheum.

Estimated takings for the week ending Dec. 13:

"Bitter Sweet" (M-G-M)
STATE — (2,300) (28c-39c-44c) 7 days. Gross: $6,500. (Average, $5,500)
'Moon Over Burma" (Para.)
ORPHEUM—(2,800) (28c-39c-44c) 7 days. Billy Gilbert in person, Jan Garber Orch., stage show. Gross: $13,500. (Average, $5,500)
"Night Train" (20th-Fox)
WORLD—(350) (28c-39c-44c-55c) 7 days. Gross: $1,800. (Average, $1,600)
"Arise My Love" (Para.)
CENTURY—(1,600) (35c-44c-55c) 7 days. 2nd week. Gross: $3,500. (Average, $4,000)
"Tugboat Annie Sails Again" (W. B.)
GOPHER—(998) (28c) 7 days. Gross: $2,500. (Average, $2,500)
"Pastor Hall" (U. A.)
"Sandy Gets Her Man" (Univ.)
ASTER—(900) (15c-28c) 5 days. Gross: $1,400. (Average, $1,800)

'Police' Pittsburgh Winner at $17,000

PITTSBURGH, Dec. 19.—Holdovers of "North West Mounted Police" at Loew's Penn and "Tin Pan Alley" at the Senator grossed $17,000 and $6,500, respectively.

Estimated takings for the week ending Dec. 12:

"Hit Parade" (Rep.)
FULTON—(1,800) (28c-44c) 7 days. Gross: $4,500. (Average, $5,000)
"North West Mounted Police" (Para.)
LOEW'S PENN—(3,400) (30c-40c-60c) 7 days, 2nd week. Gross: $17,000. (Average, $13,000)
"The Letter" (W. B.)
RITZ—(800) (28c-39c-55c) 7 days, 3rd week. Gross: $3,800. (Average, $3,500)
"Tin Pan Alley" (20th-Fox)
SENATOR—(1,700) (28c-39c-55c) 7 days, 2nd week. Gross: $6,500. (Average, $4,000)
"Road Show" (U. A.)
STANLEY—(3,600) (28c-39c-55c). Gross: $12,000. (Average, $13,000)
"Hullabaloo" (M-G-M)
"Gallant Sons" (M-G-M)
WARNER—(2,000) (28c-44c) 7 days. Gross: $4,200. (Average, $4,500)

'Tin Pan Alley' Gets $9,500 in New Haven

NEW HAVEN, Dec. 19.—"Tin Pan Alley" and "Charter Pilot" took $9,500 at the Loew-Poli. The Paramount, with "North West Mounted Police" and "Cross Country Romance," held over for a second week, grossed $5,000. Good weather brought excellent week-end business, but midweek fell off due to Christmas shopping.

Estimated takings for the week ending Dec. 12:

"Bitter Sweet" (M-G-M
"Angels Over Broadway" (Col.)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,000. (Average, $2,700)
"Tin Pan Alley" (20th-Fox)
"Charter Pilot" (20th-Fox)
LOEW-POLI — (3,040) (39c-50c) 7 days. Gross: $9,500. (Average, $8,000)
"North West Mounted Police" (Para.)
"Cross Country Romance" (RKO)
PARAMOUNT—(2,348) (35c-44c-50c-65c) 7 days, 2nd week. Gross: $5,000. (Average, $4,000)
"Long Voyage Home" (U. A.)
"Dreaming Out Loud" (RKO)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $4,000. (Average, $5,000)

Jack Benny Leads Radio Stars of 1940

(*Continued from page* 1)

selected as the Most Effective Film Player on the Air.

Bob Hope was selected as the Best Comedian, Fanny Brice as Best Comedienne, and Fibber McGee & Molly as the Best Comedy Team. Bing Crosby and Kate Smith again won top spots as popular masculine and feminine vocalists, respectively, with Richard Crooks and Margaret Speaks winning on the classical side.

Raymond Gram Swing rose from fourth place to first among the commentators, with Bill Stern in the lead for Best Sports Announcer, and Don Wilson as Best Announcer.

Lux Theatre Wins

The Best Dramatic Show, according to the editors, is the "Lux Radio Theatre," a perennial favorite, and "One Man's Family" drew top honors as Best Dramatic Series. The "Aldrich Family" was voted tops among Comedy Series.



Dinah Shore

The biggest total was rolled up by "Information, Please," voted Best Quiz Program, and "Vic and Sade" was named best among the Monday-through-Friday daytime serials.

Best Educational Program is the CBS "American School of the Air," which has been recognized in many states as part of the regular curriculum and now is playing an important part in cultural relations with Latin America. Ireene Wicker drew top honors for the Best Children's Program with her show, "The Singing Lady."

Glenn Miller's orchestra was heralded as best among the swing bands and Guy Lombardo was similarly honored for the Best Radio Orchestra (Popular). Kay Kyser's "College of Musical Knowledge" drew top rank for the best popular musical show.

The New York Philharmonic-Symphony Orchestra was voted the Best Radio Orchestra in the classical division, while the "Ford Sunday Evening Hour" drew the plaudits for being the Best Musical Show on the classical side.

With war and politics occupying most of the special events time over all networks, the CBS "European Roundup" was voted best.

Hope and Crosby Close

Following closely on the heels of Benny, in the open championship class, were Bob Hope, Bing Crosby and Bergen, in that order. Fred Allen and Helen Hayes were tied for the fifth place.

Jack Benny trailed Hope, however, as Best Comedian. In third place was Fred Allen, followed by Bergen. Ed-

(*Continued on following page*)

The Champions of Radio for 1940



Bob Hope



Bing Crosby



Charlie McCarthy



Fred Allen



Helen Hayes

CHAMPION OF CHAMPIONS
Jack Benny
Bob Hope
Bing Crosby
Edgar Bergen (Charlie McCarthy)
Fred Allen } tied
Helen Hayes }

SEASON'S OUTSTANDING NEW STAR
Dinah Shore
Yvette
Helen Hayes
Carol Bruce } tied
Wendell L. Willkie }

COMEDIANS
Bob Hope
Jack Benny
Fred Allen
Edgar Bergen (Charlie McCarthy)
Eddie Anderson (Rochester)

COMEDIENNES
Fannie Brice (Baby Snooks)
Gracie Allen
Mary Livingstone
Marion Jordan (Molly McGee)
Jane Ace } tied
Portland Hoffa }

COMEDY TEAMS
Fibber McGee & Molly
Burns & Allen
Brenda & Cobina
Abbott & Costello } tied
Amos 'n' Andy }
Benny & Livingstone }

COMEDY SERIES
Aldrich Family
Jack Benny Jello
Bob Hope
Easy Aces } tied
Fred Allen Texaco }
Star Theatre }

VOCALISTS: MALE (Popular)
Bing Crosby
Kenny Baker
Lanny Ross
Frank Parker
Frank Munn

VOCALISTS: FEMALE (Popular)
Kate Smith
Dinah Shore
Connie Boswell } tied
Frances Langford }
Ginny Simms } tied
Bea Wain }

VOCALISTS: MALE (Classical)
Richard Crooks
James Melton
John Charles Thomas
Nelson Eddy } tied
Lawrence Tibbett }

VOCALISTS: FEMALE (Classical)
Margaret Speaks
Lily Pons
Lucille Manners } tied
Jessica Dragonette }
Grace Moore

FILM PLAYERS ON AIR
Edward G. Robinson
Don Ameche
Basil Rathbone
Bing Crosby
Bette Davis } tied
Helen Hayes }

DRAMATIC SHOWS
Lux Radio Theatre
Helen Hayes Theatre
Arch Oboler's Everyman's Theatre
First Nighter
Columbia Workshop

DRAMATIC SERIES
One Man's Family
Big Town
Aldrich Family
Cavalcade of America } tied
Second Husband }
Those We Love }

DAYTIME SERIALS
Vic & Sade
Big Sister } tied
Goldbergs }
Mary Marlin }
Bachelor's Children } tied
Life Can Be Beautiful }
O'Neills }

DANCE ORCHESTRAS (Popular)
Guy Lombardo
Wayne King } tied
Fred Waring }
Kay Kyser
Tommy Dorsey } tied
Glenn Miller }

DANCE ORCHESTRAS (Swing)
Glenn Miller
Tommy Dorsey
Benny Goodman
Artie Shaw
Jimmie Lunceford

MUSICAL PROGRAMS (Popular)
College of Musical Knowledge
Fred Waring } tied
Kraft Music Hall }
Your Hit Parade }
Musical Americana

ANNOUNCERS
Don Wilson
Harry von Zell
Milton Cross
Ken Carpenter
Bob Trout

QUIZ PROGRAMS
Information, Please
Dr. I. Q.
Take It or Leave It
College of Musical Knowledge
Prof. Quiz } tied
Quiz Kids }

COMMENTATORS
Raymond Gram Swing
Lowell Thomas
H. V. Kaltenborn
Elmer Davis
Gabriel Heatter } tied
Wythe Williams }

SPORTS ANNOUNCERS
Bill Stern
Ted Husing
Red Barber
Stan Lomax } tied
Bob Trout }

ORCHESTRAS (Classical)
N. Y. Philharmonic-Symphony
NBC Symphony
Frank Black's Cities Service
Ford Sunday Evening Hour
Andre Kostelanetz } tied
Paige's Musical Americana }
Wallenstein's Firestone }

MUSICAL PROGRAMS (Classical)
Ford Sunday Evening Hour
N. Y. Philharmonic Symphony
NBC Symphony } tied
Voice of Firestone }
Cities Service } tied
Metropolitan Opera }
Telephone Hour }

CHILDREN'S PROGRAMS
Singing Lady (Ireene Wicker)
Coast-to-Coast on a Bus (Milton Cross) } tied
Let's Pretend (Nila Mack) } tied
Quiz Kids }
Tom Mix's Straight Shooters

EDUCATIONAL PROGRAMS
American School of the Air (CBS)
University of Chicago Roundtable
Information, Please
American Forum of the Air } tied
American Town Meeting of the Air } tied

SPECIAL EVENTS
CBS—European Roundup
CBS, MBS, NBC—Conventions and Election Returns
NBC—*Graf Spee* Scuttling
NBC—War Coverage
NBC—Refugee Children Telephone Talks
CBS, MBS, NBC—War Coverage
NBC—Draft Drawings

Jack Benny Leads Radio Stars of 1940

(*Continued from page 7*)

die Anderson, as Benny's valet Rochester, stepped in with the leaders to take fifth place.

Gracie Allen was runner-up to Miss Brice as Best Comedienne. Mary Livingstone was third, Marion Jordan (Molly McGee) fourth, with Jane Ace and Portland Hoffa tied for fifth.

Burns & Allen followed Fibber McGee & Molly in the ratings for Best Comedy Team. Brenda & Cobina placed third, and Amos 'n' Andy, Abbott & Costello and Benny & Livingstone were in a triple tie for fourth place.

Best Comedy Series

Benny's Jello series was given the second place spot behind the "Aldrich Family" as the best Comedy Series. The Bob Hope show for Pepsodent was third, while Fred Allen's "Texaco Star Theatre" and the "Easy Aces" tied for fourth.

Yvette, the golden-haired songstress, was voted by the editors as the second Outsanding New Star of the Season. Helen Hayes was third and Carol Bruce, fourth. That the political campaign left its mark on the minds of the editors was reflected in the fact that Wendell L. Willkie received enough votes to tie for the fourth position in this classification.

Kenny Baker followed Crosby as the Best Male Vocalist (Popular). Lanny Ross was third, Frank Parker, fourth, and Frank Munn, fifth.

Miss Shore's rapid rise to stardom on the airwaves gave her not only the top rating for outstanding new star, but also gave her second place to Miss Smith as Best Female Vocalist (Popular). Connie Boswell and Frances Langford were tied for third position and Ginny Simms and Bea Wain were tied for fifth.

Crooks Leads Vocalists

Richard Crooks, best of the male vocalists on the classical side, was followed by James Melton, John Charles Thomas and Nelson Eddy and Lawrence Tibbett, the last two tied for fourth place.

Still on the classical side, but with the feminine artists this time, Lily Pons follows Miss Speaks among the vocalists. Lucille Manners and Jessica Dragonette were tied for third place and Grace Moore was fifth.

Lowell Thomas retained second place among the commentators. H. V. Kaltenborn was third, Elmer Davis, fourth, while Gabriel Heatter and Wythe Williams tied for fifth.

Ted Husing was a close runner-up to Stern as Best Sports Announcer. Red Barber placed third and Stan Lomax and Bob Trout finished in the money by tieing for fourth. Lomax, a WOR sportscaster, was the only non-network star to take a place in the poll.

Following Robinson as the Most Effective Film Player on the Air were Don Ameche, Basil Rathbone and Bing Crosby, in that order. Bette Davis and Miss Hayes tied for fifth place.

The popularity among editors and the people who buy the sponsors' goods has changed little with respect to announcers. Wilson, who has won this poll since 1936, was followed in the top ranking by Harry von Zell, Milton Cross, Ken Carpenter and Bob Trout.

Another repeated favorite is the "Lux Radio Theatre" which was followed in the Best Dramatic Show classification by the new "Helen Hayes Theatre," Arch Oboler's "Everyman's Theater," "First Nighter" and "Columbia Workshop."

Criticize Daytime Serials

Following "One Man's Family" as Best Dramatic Series were "Big Town" and the "Aldrich Family," in that order. "Cavalcade of America," "Second Husband" and "Those We Love" were tied for fourth place.

In second place among quiz programs was "Dr. I.Q." followed by "Take It or Leave It" and "College of Musical Knowledge." "Prof. Quiz" and the "Quiz Kids" were tied for fifth place.

Editors who frequently criticize the daytime program material, marked their ballots with a number of asides concerning the daytime serials. "Big Sister," "The Story of Mary Marlin" and "The Goldbergs" were in a triple tie for second place behind "Vic and Sade." Also in a triple tie, but for fifth place, were "Bachelor's Children," "Life Can Be Beautiful" and "The O'Neill's."

"University of Chicago Roundtable" was voted second in the Best Educational Program series. Apparently of the opinion that education can be absorbed in a number of ways, the editors gave "Information, Please" third place, while "American Forum of the Air" and "American Town Meeting of the Air" were tied for fourth.

Following Miss Wicker's "The Singing Lady" as Best Children's Program were "Coast-to-Coast on a Bus" (Milton Cross), "Let's Pretend" (Nila Mack), and "Quiz Kids," all in a triple tie for second place, and "Tom Mix's Straight Shooters" in fifth place.

Popular dance bands rated in this order behind Guy Lombardo: Wayne King and Fred Waring, tied for second, Kay Kyser, third, and Tommy Dorsey and Glenn Miller, tied for fourth.

Miller, who topped the swing bands, was followed by Tommy Dorsey, Benny Goodman, Artie Shaw and Jimmie Lunceford. Richard Himber just missed the first five.

The Fred Waring show, "Kraft Music Hall" and "Your Hit Parade" were in a triple tie for second place behind "College of Musical Knowledge" as the Best Musical Show (Popular). "Musical Americana" came fifth.

The NBC Symphony Orchestra was rated second among the classical radio orchestras. Frank Black's "Cities Service" orchestra was third, the Ford "Sunday Evening Hour" orchestra was fourth while Andre Kostelanetz's orchestra, Raymond Paige's "Musical Americana" orchestra and Alfred Wallenstein's "Voice of Firestone" orchestra were tied for fifth place.

The "Ford Sunday Evening Hour," which was selected as the Best Musical Show (Classical), was followed by the N. Y. Philharmonic-Symphony Sunday afternoon broadcasts in second place, the NBC Symphony and "Voice of Firestone," tied for third, and "Cities Service," the Metropolitan Opera broadcasts and the "Telephone Hour," tied for fifth.

War coverage, politicial conventions and election returns were almost exclusively the items cited by the editors voting on special events. Although the ballots requested designation by network, the second greatest group of votes was for convention and election coverage with "all networks" noted on the ballots. The CBS "European Roundup" was in first place. Among others items cited as outstanding were the NBC (1939) description of the scuttling of the *Graf Spee*, general NBC war coverage, and NBC broadcasts of refugee children speaking to their parents in England. Outside of the war and politics, the only other event to get special citation was the NBC coverage of the draft drawings.

'The Old Foolishness' At Windsor Tonight

John Golden will present a new play by Paul Vincent Carroll, "The Old Foolishness," tonight at the Windsor Theatre. A comedy-drama, the play has been supervised and directed by Rachel Crothers. The cast includes Sally O'Neil, Roy Roberts, Margery Maude, Sean Dillon, Vincent Donehue, Edwin Gramercy, Laurence C. O'Brien and Guerita Donnelly. Bernard Simon is press representative for the show.

$480,000 from One Client on Mutual

Breakdown of the first 11 months' gross billings on Mutual revealed yesterday that Wander Co. spent $480,555, giving it the status of the leading client on that network. Blackett-Sample-Hummert, which placed the same amount of business, was the leading agency. Second were Bayuk Cigars with $467,064 and Ivey & Ellington, the agency, with the same amount.

Third among the clients was Gospel Broadcasting Association, $343,661; General Cigar, $298,058; General Baking, $184,221; Macfadden Publications, $182,403; Richfield Oil, $170,691; American Safety Razor, $115,556; Wheeling Steel, $107,095; Lutheran Laymen's League, $98,189.

R. H. Alber Co. was third among the agencies with $354,854; J. Walter Thompson, $300,061; Erwin, Wasey, $237,254; Sherman K. Ellis, $189,366; Batten, Barton, Durstine & Osborne, $184,221; Ruthrauff & Ryan, $156,102; Critchfield & Co., $121,465, and Federal, $115,556.

Only the first 10 in each classification were included in the breakdown.

Time Sues on Name

Time, Inc., publisher of *Time* magazine, in N. Y. Supreme Court yesterday sued Time Abroad, Inc., for $5,000 damages and an injunction against the sale of recordings dramatizing foreign events. Time charges the style is similar to "The March of Time" and the effect confusing to the public also because of the name similarity.

Films Top Orphan Party of Governor

Albany, Dec. 19.—Mrs. Herbert H. Lehman, wife of New York's Governor, is supplementing her usual Christmas party for orphans Monday at the Executive Mansion with a motion picture show. Arranged by Charles Smakwitz, Warner district manager, the program will be topped by "Thief of Bagdad," obtained from Monroe Greenthal, advertising and publicity head of United Artists.

Music War Centers On Radio Stations

(*Continued from page 1*)

for the past three weeks but no final decision has been made. Edward J. Noble, who takes over WMCA on Dec. 31, declared that he knew nothing about the situation and that he would make no statement on Ascap until the formal papers were signed on Dec. 31.

The four Boston stations, however, are regarded as an important advance for Ascap. It was said that these stations intend an elaborate promotion campaign to call attention to the fact that they will have Ascap music after the year's end. Newspaper ads and sound trucks will be used, it was said, and an effort will be made to win over the network station audiences.

Meanwhile, BMI disclosed that 553 stations had either signed contracts for BMI music after Jan. 1 or had pledged themselves definitely to sign.

Conferences between Government officials and Ascap representatives in Washington were described in the capital as in no sense general meetings but rather discussions with one or two men at a time. Although Government officials maintained a strict silence on the entire Ascap matter, it was learned that the Government is conferring with those whom it considers representative of the "reasonable" group in Ascap. The hope has been expressed that this group will be able to prevail against the faction which is determined to fight against acceptance of a decree.

FCC Sets Hearing On Trenton Station

WASHINGTON, Dec. 19.—The Federal Communications Commission today tentatively set for hearing Jan. 29 the contesting applications of Station WTNJ and the Trent Broadcast Corp. for a 1,230-kilocycle, 1,000-watt station in Trenton, N. J.

It also announced that on Feb. 3 it would hear the applications of Pan-American Broadcasting System, Inc., for a 1,420-kilocycle, 250-watt station at Hollywood, Fla.; Atlantic Broadcasting Corp. for a 1,280-kilocycle station at Miami with 500 watts night, 1,000 watts day; Seaboard Broadcasting Corp. for a 1,530-kilocycle, 1,000-watt station at Tampa, and Robert V. Lee for a 1,500-kilocycle, 250-watt station at Bradenton, Fla.

Application of the Thumb Broadcasting Co. for a new 600-kilocycle, 250-watt day station at Brown City, Mich., was ordered for hearing, on a date to be set later.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 122 NEW YORK, U. S. A., MONDAY, DECEMBER 23, 1940 TEN CENTS

Code Needs No Revision, Says Breen

Administrator Expresses Views on Visit Here

No revision of Production Code administration operations is needed or is in work, Joseph I. Breen, code administrator, said here in commenting on reports that more stringent enforcement is in prospect.

Breen attributed recent and current discussion of a "relaxation of code enforcement" to the appearance in quick succession of several pictures which contained "borderline" dialogue, or dialogue susceptible of more than one interpretation. The successive occurrence of these pictures was coincidental and did not constitute a symptom of relaxation of code enforcement, he said. Had the same pictures been released at different times they would not have occasioned comment, Breen believes.

He also attributed a part of the comment and criticism of dialogue in recent pictures to "wholly unfounded interpretations by some individuals, who read into dialogue meanings which are not there."

Breen said he was not scheduled to report to the M. P. P. D. A. board of directors, but came East to make his annual visit to M. P. P. D. A. headquarters.

Cuba Extends Zero Hour Three Months

The Cuban Government has agreed to a three-months stay beyond Jan. 1 of the effective date of the anti-block booking bill there, to provide additional time to negotiate a repeal or amendment of the measure, home office foreign departments were advised over the weekend.

The postponement of the law's enforcement is believed to avert closing

(Continued on page 6)

Seven Reviews Today

Six other films are reviewed in this issue, as follows: "Four Mothers," Page 4; "Hudson's Bay," "Michael Shayne, Private Detective," "Her First Romance," Page 5; "Wild Horse Range," "Sensation," Page 6.

London Theatres To Open Xmas Day

London, Dec. 22.—All film houses in Greater London and a few in the rest of England will be open on Christmas Day. It has been the practice in the past for all theatres throughout the British Empire to remain closed on two holidays, Christmas Day and Good Friday. It is the belief that permission has been granted this year to provide a source of entertainment to the London populace during the war.

U. S. Court Gives Publisher Rights On Song Renewals

In a copyright test case of far-reaching importance it was held recently that the publisher, rather than the composer, is entitled to the renewal of the copyright where the composer or lyricist is employed by the publisher. The decision was handed down by Federal Judge Grover Moscowitz in the U. S. District Court here in a suit between Shapiro, Bernstein, the publisher, and Alfred Bryan and Fred Fischer, the composers, in a suit involving renewal of the copyright on "Come, Josephine, in My Flying Machine."

The composers contended that they were not in the employ of the publishers, but the court held that certain features in their contracts, such as an agreement to work exclusively for the

(Continued on page 6)

BRITISH CURRENCY AGREEMENT CLOSED

Ascap Sets $100,000 to 'Police' Air

Ascap's plans for "policing" the air beginning at midnight New Year's Eve were given final approval by the board of directors at a meeting Friday. The initial "policing" cost to Ascap is estimated by officials to be in excess of $100,000.

Meanwhile, it was disclosed that Robbins Music Corp., an affiliate of M-G-M, has agreed on a 10-year renewal of its contract with Ascap, and that it is expected to be signed tomorrow. The deal includes two Robbins subsidiaries, Leo Feist, Inc., and Miller Music, Inc.

The Ascap board at its meeting authorized payment of a regular dividend of about $900,000 for the quarter ending Dec. 31, but took no action on a Christmas bonus for employes. In past years Ascap has paid two weeks' salary to all employes as a Christmas bonus.

Extraordinary expenses, enforcement and legal, which are anticipated for 1941 as a result of the network war, together with the loss of income

(Continued on page 8)

Calls for $12,900,00 Withdrawal in 6 Months, $3,225,000 at Once

The eight major American distributors have agreed to all basic provisions of the new British currency agreement. Formal closing of the agreement in London is expected in a day or two.

The agreement provides that 75 per cent of the $12,900,000 which may be withdrawn from Great Britain by the eight majors during the 12 months ending Oct. 31, 1941, may be taken out in the first six months of the agreement, and the remaining 25 per cent in the last six months.

F. W. Allport, M.P.P.D.A. representative in London, was directed at the weekend to request three minor changes in phraseology to which there is believed to be no official objection in London, and was authorized to close the agreement on behalf of the American distributors.

The British authorities have agreed that the American representatives in London may remit $3,225,000 to New York at once. Another $1,600,000 will be avail-

(Continued on page 6)

Extra B'way Shows On New Year's Eve

There will be extra shows and prices will be advanced at most of the Broadway film houses for New Year's Eve.

The Music Hall and Capitol will adhere to their previous policy of not raising prices for New Year's Eve. Holiday prices will be charged beginning at about 7 P. M. New Year's Eve at both houses, but there will be no further increase. The Music Hall will have an extra stage show starting

(Continued on page 6)

"Kitty Foyle"

[RKO]

Hollywood, Dec. 22.

FILMING of Christopher Morley's best seller has resulted in a showman's natural, a picture which, in addition to the public attention received by virtue of the book's circulation, is due for great favorable audience comment.

The Morley novel, called by its author "the natural history of a woman," has been transferred to the screen in a manner to elicit in both contemporaries and their elders complete recognition of its subject: the emotions beneath the modern working girl's white collar "uniform."

As "Kitty," prototype of the young American career woman, Ginger Rogers delivers her finest performance to date, and proves without question her right to recognition as a dramatic actress of the first rank. Dennis Morgan and James Craig, her leading men, abide by the same

(Continued on page 4)

N. Y. Critics Decide Year's Best Friday

The New York Film Critics will meet at the *New York Times* next Friday to vote on their annual awards for the best film, best acting and directing, and so on. The results are expected to be announced Dec. 30.

'Xmas Under Fire'

London, Dec. 22.—"Christmas Under Fire," new film subject produced by the new General Post Office unit of the Ministry of Information, is a superbly moving film, portraying changed conditions in England. It pictures the manner in which the war has curtailed the customary holiday activities of the English people.

Harry Watts directed, and Quentin Reynolds, *Collier's* representative, who handled the commentary on "London Can Take It," recent subject, does likewise for this. It will be pre-released in the West End in a few days.

Flanagan.

Personal Mention

J. J. MURDOCK, Keith Circuit veteran, and MRS. MURDOCK, left for the Coast at the weekend to spend the holidays.

•

CARL E. MILLIKEN of the M.P.P.D.A., and MRS. MILLIKEN left Saturday on the *America* for a 12-day West Indies cruise.

•

EDWARD RUGOFF of the Rugoff & Becker Circuit has left for a Florida vacation. He expects to return in about three weeks.

•

LEONARD BEIER of Warners' publicity department was married over the weekend to LILLIAN KIRSCHNER of Highland Park, N. J.

•

MRS. THELMA WASHBURN, secretary of LEW ELMAN, manager of the Des Moines RKO office, has left for a two-week trip to Seattle and San Francisco.

ROBERT M. GILLHAM, Paramount advertising and publicity director, will leave for the Coast after Jan. 1 for a studio visit.

•

SAM A. GALANTY, Mideast division manager for Columbia, with headquarters in Washington, is in Cincinnati for a few days.

•

R. M. COPELAND, Des Moines, Paramount manager, and P. W. ROBBINS, Paramount salesman, accompanied by their wives, have left for a two-week auto trip to New Orleans and Florida.

•

MAURICE BAILEY of the Whalley, Westville, and Whitney, New Haven, Conn., will spend the holidays in New Orleans.

•

CAROL LANE of Carroll, Ia., operator of the Lane Theatre circuit, is confined to his home with a streptococcic throat.

3 Omaha Houses Aid Charity Drive

Omaha, Dec. 22.—The three first run theatres here, Orpheum, Omaha and Brandeis, are cooperating with a local newspaper on a stunt to raise funds for the paper's charities by having prominent citizens auction costumes supplied by film stars. The sponsors hope to raise $1,500. The Orpheum and Omaha are Tri-States houses and the Brandeis is a unit of the Mort H. Singer circuit.

Illness Hits Gross In Eastern Canada

ST. JOHN, N. B., Dec. 22.—Influenza and diphtheria outbreaks are combining with Christmas shopping to hurt business at the theatres through the eastern Canadian provinces. More cases of the flu are reported than for many years, although the type is not severe. Hospitals have barred all visitors, and schools had to close from several days to a week ahead of schedule for the Christmas-New Year's vacation.

Some of the theatre staffs have been depleted through illness, and the scare is keeping many people from theatres. The diphtheria epidemic is reported on the wane.

Variety Club in K. C. Sponsors Tourney

KANSAS CITY, Dec. 22.—Between 4,000 and 5,000 people were bowling during this weekend in the annual Variety Club-Kansas City *Star* tournament, funds from which go to the Junior Red Cross for purchasing milk the year around for under-nourished children in Greater Kansas City. A dozen bowling alleys participated in the event this year, which was headed, as in most of the years since it was organized, by Frank Hensler of M-G-M.

O'Loghlin Will Head Canada Distributors

TORONTO, Dec. 22.—The expansion of work in connection with the Motion Picture Distributors Association of Canada has brought about a change in official personnel. James P. O'Loghlin, general manager of 20th Century-Fox Corp. of Canada, has been appointed president of the association while Col. John A. Cooper, who has been president for many years, assumes a new post, chairman of the board of directors. He will continue in charge of the association office in the Film Exchange Building, Toronto. The rearrangement means a division of administrative duties of routine nature.

E. H. Wells continues as national secretary of the Canadian Film Boards of Trade, which are affiliated with the distributors' association.

Warner Club Holds Annual Xmas Party

More than 3,000 members of the Warner Club, their children and guests attended the annual Christmas Kiddie Party held at the Brooklyn Vitaphone studio on Saturday. Ralph Budd handled the arrangements. A group of British refugee children were special guests of the club.

A "Santa Fe" pageant was staged. Refreshments were served after the entertainment, and all the children were presented with attractive gifts.

Butler to Direct 'Draft'

HOLLYWOOD, Dec. 22.—David Butler has been signed by Paramount to direct "Caught in the Draft," B. G. DeSylva musical, with Bob Hope and Dorothy Lamour. Shooting will start Jan. 6.

Freeman to Fete Studio

HOLLYWOOD, Dec. 22.—Y. Frank Freeman, Paramount studio chief, will be host to all Paramount employes at a Christmas party on the lot Tuesday. All work will stop at 1 P. M.

Zanucks in Sun Valley

HOLLYWOOD, Dec. 22.—Mr. and Mrs. Darryl F. Zanuck and their children left yesterday for a holiday vacation in Sun Valley.

Progress Reported In Federation Drive

Industry leaders on Friday heard reports at a luncheon at the Hotel Astor on the progress of the drive to raise $250,000 in the 1940 campaign of the New York and Brooklyn Federations of Jewish Charities.

The amusement division will hold a luncheon next month, climaxing its effort on behalf of the drive, it was announced by David Bernstein, co-chairman of the division with Major Albert Warner. The date and place of the luncheon has not been decided as yet.

Among those present at Friday's luncheon were: Jack Alicoate, Irving Barry, Joseph Bernhard, O. O. Binder, Laurence S. Bolognio, Harry Brandt, Leo Brecher, Harry Buxbaum, Irving Caesar, M. J. Fessler, Louis Frisch, Howard Dietz, Monroe W. Greenthal, Toby Gruen, Arthur Israel, Jr., J. J. Lee, Bud Lytton, John Manheimer, Benjamin S. Moss, Louis Nizer, A. P. Waxman, Louis Phillips, Gene Picker, Ralph I. Poucher, Hyman Rachmil, Sam Rinzler, Harold Rodner, Aubrey Schenck, Marvin Schenek, Sam Shain, Charles Sonin, David Weinstock, H. J. Yates, George Morris, Budd Rogers, Joe Vogel, William Klein, Bert Lebhar and L. W. Schneider.

'Quizz Kids' in Shorts

Paramount will feature the "Quizz Kids" in a series of short subjects to be made at the Astoria, L. I., studios, as the result of a deal closed Friday with Louis Cowan, producer of the NBC Wednesday evening program on which the group appears. Leslie Roush will direct.



SPECTATOR AT HIS OWN FUNERAL

Cesar Romero, the Romeo of the rackets, views with distaste the decorations on casket the boys bought for him.

TALL, DARK and HANDSOME

20th's natural!... loaded with laughs! thrills! tunes!

20th CENTURY FOX

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame.

Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.



You Win!

• No matter which way you look at it you win if you properly advertise your pictures and your theatres.

• The moth is attracted to the flame... people are attracted by color... beauty and display... that's why business paints its store fronts... buildings have their faces lifted.

• ***Dress up... look well... change your act!*** That's the watchword of this streamlined age... the watchword of modern merchandising... one of the most important avenues to increased business... Show Business too...

• And right here at hand... in one centralized spot you've got the class of the dress-up... seat-selling theatre advertising... TRAILERS... LOBBY DISPLAYS... STANDARD ACCESSORIES... a co-ordinated whole ready and waiting to do its stuff for you.

• Use it... take advantage of our experienced, expert organization to sell seats for your theatre and your show.

NATIONAL Screen SERVICE • NATIONAL Screen ACCESSORIES
ADVERTISING ACCESSORIES, INC.

Producers in Mexico Fight Union Tactics

MEXICO CITY, Dec. 22.—Suspension of production is threatened by the Association of Mexican Picture Producers and Distributors in an open letter to Enrique Solis, secretary general of the producers' group of the National Cinematographic Industry Workers' Union.

The threat is made unless Solis drops what the association calls "an odious tyranny that is fast killing this highly important national industry so that it is being outdistanced by other Spanish - speaking countries which are not afflicted by problems that beset Mexico and which are due to labor leaderism."

The Association said that it addressed Solis this open letter because he has failed to answer any of its private communications. It accuses the official of "wilfully distorting our attitude to serve your own personal interests, an action that has hurt the interests of members of your own union," and charges that Solis is preventing production of the film, "Lo que el Viento Trajo" ("What the Wind Brought"), a burlesque of "Gone With the Wind," by rescinding his approval of B. J. Kroger as sound man for the picture.

Controversy Over Sound

"You deliberately rejected Mr. Kroger," said the letter, "And insisted that sound for this picture be provided exclusively by Jose Perez, who everybody knows uses apparatus that you own. Unless you immediately correct the problem you have created with regard to this picture we shall be obliged to suspend the production of pictures, a suspension that will last as long as you insist upon maintaining your hostile attitude toward the producers and members of your own union.

"Inasmuch as you are the owner of picture making apparatus, including sound and light equipment and cameras, articles which your union recognizes as the property of an employer but not of a worker, we must endeavor to have you ousted from your union position because you are an employer but not a worker."

McKinstry Heads Kansas City Union

KANSAS CITY, Dec. 22.—David McKinstry of the Orpheum has been elected president of Local 170 of the operators union here. Other officers are R. H. Matheny, vice-president; Frank Dowd, secretary; Walter Croft, business agent; F. H. Burkert, treasurer; C. M. Edmonds, reading clerk; William McKinstry, sergeant-at-arms.

Almost a dozen offices and committee positions changed hands, the first time there has been anything like such a wholesale switch, according to union officials. Burkert was reelected treasurer, a post he has occupied for 20 years.

"Kitty Foyle"

[RKO]

(Continued from page 1)

standards in their portrayals of the two men in her life; the one with whom she is more in love than he can be with her, the other who loves her more than she can him.

While these three carry the weight of the great part of the story and footage, other characterizations are on the same plane. Eduardo Ciannelli is the all-too-understanding speakeasy proprietor, Ernest Cossart is Kitty's beloved "Pop," Odette Myrtil the owner of the beauty salon where Kitty works, Gladys Cooper the hard and aristocratic mother of the boy Kitty loves, Mary Treen and Katherine Stevens are Kitty's roommates.

The Dalton Trumbo screenplay, with additional dialogue by Donald Ogden Stewart, changes the novel in some respects, but keeps intact the basic thread; if anything, spins it a bit tighter while losing none of the shadings of significance. As in the book, the title character is a girl from the wrong side of the tracks in Philadelphia, who gives without stint of her heart and her courage to the descendant of a long line of Main Liners, who finally yields to family pressures and convictions and marries someone else, only to return again and ask Kitty to come away with him. In between, there is portrayed a love story and a picture of the life of a "white collar girl" which cuts straight to the core in the telling.

Adding to the script is the direction of Sam Wood, which accounts for easy and graceful transition in time, place and mood, keeps the story moving without a falter through flashbacks and straight narrative. David Hempstead has mounted the picture in a fashion appropriate to the story and its characters.

Running time, 105 minutes. "G."* W. S.

"Four Mothers"

(Warners)

Hollywood, Dec. 22.

THE Lemp family of "Four Daughters" and "Four Wives," unchanged as to personnel from their last appearance, encounter adversities of many kinds in this phase of their chronicle but emerge from it, after enough uncertainty to have kept the audience between dithers and tears for a proper period, with their collective and individual happiness intact. It is, on the evidence of a morning screening at the studio attended by some two-score newspaper and magazine writers, best of the series since the first and in a number of ways better than that one.

Again the cast is composed of Priscilla, Rosemary and Lola Lane and Gale Page, portraying the wives and mothers, Jeffrey Lynn, Eddie Albert, Frank McHugh and Dick Foran as their husbands, Claude Rains the father—now grandfather—and May Robson their aunt. Henry Blanke produced and William Keighley directed from a script by Stephen Morehouse Avery based on "Sister Act" by Fannie Hurst.

Chief among the economic disasters which afflict the family in the narrative is a hurricane and tidal wave which wipes out a Florida real estate project in which all have invested their funds. Townsfolk who have invested on the Senior Lemp's recommendation turn against him, dismiss him as director of the local symphony, but hail him, at the picture's end, on his return after achievements in the city and after his family has restored losses and established the family on a sound economic footing again.

Running time, 85 minutes. "G."* ROSCOE WILLIAMS

**"G" denotes general classification.*

Illness Closes Theatres

NEW ORLEANS, Dec. 22.—Theatres and schools were closed during the past week in Lake Charles, La., when mild cases of bronchial infection, highly contagious, were reported. Cases of the infection have also been reported in Alexandria and other Louisiana towns.

Bausch & Lomb Dividend

ROCHESTER, Dec. 22.—A dividend of 50 cents a share on the common stock has been declared by the Bausch & Lomb Co., payable Dec. 28.

W. B. Takes Phila. House

PHILADELPHIA, Dec. 22. — Warners have taken over operation of Mike Lessey's Diamond Theatre, North Philadelphia neighborhood house. Harold Brason, manager of the Lindley, will manage the Diamond, and Pressy Lessey, son of Mike Lessey, will replace Brason at the Lindley.

Alliance Sets Release

"Pirate of the Seven Seas," featuring John Lodge, will be released by Film Alliance of the U. S. on Jan. 6.

Van Druten Comedy At Morosco Tonight

"Old Acquaintance," a new comedy by John Van Druten, will open at the Morosco Theatre tonight with Jane Cowl, Peggy Wood, Kent Smith, Adele Longmire, Hunter Gardner and Edna West in the cast. Auriol Lee directed and Dwight Deere Wiman produced.

K.C. Area Building Sets 10-Year Mark

KANSAS CITY, Dec. 22.—More new theatres have been built, and more old ones have been extensively rebuilt in the Kansas-Missouri territory during 1940 than in any previous year for 10 years. Completed in 1940, or definitely projected, are 11 new theatres with a total seating capacity of about 6,000. Total expended or budgeted amounts to $300,000.

Fourteen theatres have been extensively rebuilt, at a total cost of $450,000. Several remodeling jobs cost more than $5,000 each. In addition, about 40 theatres have spent from $500 to $1,500 on new equipment, redecoration, etc., and another estimated $40,000 for theatre improvement in the period.

Two factors considered chiefly responsible for the new theatres are competition and the spending and reemployment incident to the national defense program.

The extent of the investment in new theatres and in improvement of existing houses is regarded as the more remarkable because grosses are conservatively estimated at 15 per cent under those of 1939 for the entire territory.

Balaban to Address Ampa on January 9

Barney Balaban, Paramount president, will be the guest speaker at the next open meeting of the Ampa on Jan. 9.

Members of the Ampa at a closed meeting Friday acted favorably on revisions to the constitution recommended by the board of directors.

Chiefly, the revisions give women members the same full voting privileges as men, with their dues now to be $10 per year instead of $5 as heretofore, and the status of trade paper representatives are fixed as active members, thus making official an arrangement voted some time ago.

The annual meeting of the association is set for the last Thursday in April, when elections will be held. Members must elect a nominating committee not later than March 1. The meeting discussed a 25th anniversary dinner dance to be held April 4 at the Hotel Edison. It will be a benefit for the new Ampa Welfare and Relief Fund. The next meeting of the directors will be on Jan. 6.

Union Election Jan. 7

OMAHA, Dec. 22.—Local 343, the operators' union here, will elect 1941 officers on Jan. 7. R. L. McIntyre, Orpheum Theatre, is the present president and Howard Jackson, Omaha Theatre, business agent.

Short Subject Reviews

"California Thoroughbreds"
(*Warners*)

A horse breeding farm in California and the raising of a thoroughbred makes an interesting subject in the "Sports Parade" service. The horse is first seen shortly after birth, later is saddle broken, trained and taught to race. A big race concludes the reel, which is in color. Running time, 10 mins.

"Skinny Ennis and His Orchestra"
(*Warners*)

In the "Melody Master" classification, this is a musical with the maestro of Bob Hope's radio show wielding the baton and handling a vocal assignment smoothly. The tunes include "Lamplight," "Three Little Words," "Let's Do It" and "Birth of the Blues." Running time, 10 mins.

"March on Marines"
(*Warners*)

Here is a colorful and impressive study of life in the Marine Corps, which, with the eyes of the nation focused on a defense program, has the added advantage of being timely. The short employs John Litel as a commanding officer; Dennis Morgan and David Bruce, brothers in the corps vying for the same girl, Mildred Coles, and an appointment to the Naval Academy, and others. The activities of the leathernecks are seen, including field maneuvers, rifle practice, parade drills and the like. Finally both are accepted at Annapolis. The short is in color and was produced in cooperation with the U. S. Marine Corps. Running time, 20 mins.

"Porky's Hired Hand"
(*Warners*)

This is a consistently amusing "Looney Tune," in which Porky Pig hires the Goof to guard his chickens from a fox. The thief turns up, induces the Goof to form a partnership, doublecrosses his partner and then has reason to regret the whole thing. Running time 7 mins.

"Elmer's Pet Rabbit"
(*Warners*)

Elmer and Bugs Bunny, two really funny cartoon characters, are involved here. Elmer purchases Bugs from a pet shop. However, they don't get along well together since Bugs insists on sleeping in Elmer's bed. The cartoon is clever and has a number of laughs. Running time, 7 mins.

Morgan Reaches Post

W. B. Morgan, recently appointed temporary manager of the 20th Century-Fox branch in Port-au-Spain, Trinidad, has arrived at his post with Mrs. Morgan.

Buys 3 Westerns

Astor Pictures has bought from Coronado Pictures three musical westerns, "Water Rustlers," "Singing Cowgirl" and "Ride 'em, Cowgirl.

Feature Reviews

"Hudson's Bay"
(*20th Century-Fox*)

Hollywood, Dec. 22

PAUL MUNI'S return to the screen after an extended absence is in itself an event of significance in the exploitation and box-office sense of the term. The story of the founding of the Hudson's Bay company affords him a different type of characterization than he has had before. As presented by associate producer Kenneth Macgowan and directed by Irving Pichel, from a screen play by Lamarr Trotti, the story centers around the Muni characterization and depends in great measure upon his performance for its effectiveness.

Supporting Muni in the picture are Gene Tierney, Laird Cregar, John Sutton, Virginia Field, Vincent Price, Nigel Bruce, Morton Lowry, Robert Greig and many others. Cregar's performance is outstanding. Miss Tierney and Sutton enact a romantic theme which does not involve Muni, who portrays Pierre Esprit Radisson, the hardy "rogue"—to use the word from the dialogue—who brought about the founding of the trading company for which the film is named.

The story opens in 1667 or thereabouts, with Muni and a fellow-trapper seeking to interest the British governor at Albany in financing a fur-hunting expedition to Hudson's Bay. Imprisoned as a thief, he meets a wealthy Englishman who has been banished by King Charles, enlists his financial and personal help in making a journey to the Bay and emerges with 300,000 pelts, which the French governor seizes. They steal some of them back and go to England, where unofficial sanction for another trip to the Bay is obtained. Returning again to England, Muni incurs the King's displeasure due to having executed a member of the party to avert an Indian war and is sentenced to be hanged. He is liberated when he discloses he has told the Indians to deal only with the French if he does not return.

Running time, 95 minutes. "G."* ROSCOE WILLIAMS

"Michael Shayne, Private Detective"
(*20th Century-Fox*)

IN the first of a new series of detective mysteries, 20th Century-Fox presents an entertaining film from the Sol M. Wurtzel side of the studio. As directed by Eugene Ford from a screenplay by Stanley Rauh and Manning O'Connor, the film is an adaptation of a novel by Brett Halliday.

In Lloyd Nolan, the picture offers a highly persuasive private detective, cut somewhat to the "Thin Man" pattern. Nolan has the easy nonchalance and capable handling of his role which lends considerable to the effectivness of the unpretentious but entertaining picture.

Marjorie Weaver supplies the entirely incidental romantic phase of the film, which is never permitted to interfere with a fast-stepping story of murder, race track fixing, the recalcitrant daughter of a rich man, and an old-maid aunt with a penchant for murder mysteries. The supporting cast includes Joan Valerie, Walter Abel, Elizabeth Patterson, Donald MacBride and Douglas Dumbrille.

Nolan becomes involved in a murder, which MacBride, police captain, tries to pin on him, and finally succeeds in clearing that case and a few incidental items of criminal intent, while "protecting" Miss Weaver from herself, at the suggestion of her father.

Running time, 77 minutes. "G."* CHARLES S. AARONSON

"Her First Romance"
(*Monogram*)

Hollywood, Dec. 22

EDITH FELLOWS blossoms out as a singer in her first "grownup" role in Monogram's "Her First Romance," story of adolescent love derived from a modernized and greatly revamped version of the Gene Stratton Porter novel, "Her Father's Daughter." Playing opposite her is Wilbur Evans, concert baritone, making his film debut.

Produced by I. E. Chadwick and his associate, Herman Wohl, the film spins a Cinderella-like story of a young college girl who is invited, as part of a fraternity initiation prank, to a college prom. She turns down the invitation, is taken to the ball by the singer, considered the season's best "catch," and becomes the campus belle. However, she manages to outwit her conceited sister, who is her guardian, patch up a shattered romance, and to fall in love with the singer herself.

The story, by Adele Comandini, mingles pathos and comedy with music, six songs being sung by Miss Fellows and Evans. Edward Dmytryk directed.

Running time, 67 minutes. "G."* VANCE KING

*"G" denotes general classification.

Short Subject Reviews

"Stranger Than Fiction, No. 85"
(*Universal*)

An array of five appropriate subjects makes for an interesting subject. Pictured are carvings which depict the life of Christ, a couple who reside in what was once a bank, a 13-foot clock with various historic scenes carved on it, a woman tugboat captain and a prison inmate who constructed by hand an organ now valued at $7,000.

"Going Places, No. 84"
(*Universal*)

This is a photographic visit to Trindad, British colony in the West Indies which is involved in the recent naval base transaction between England and the U. S. The short is significant in that respect, but as travelogue material it is not more than average. Graham McNamee narrated. Running time, 9 mins.

"Going Places, No. 85"
(*Universal*)

A seal hunting expedition in the Arctic is covered herein, and it is an interesting subject. Norwegians are seen embarking for the seal territory, and upon reaching their destination, capturing the creatures. After several dangerous encounters the hunters finally set out for home. Running time, 9 mins.

"Tickled Pinky"
(*Universal*)

Pinky Tomlin, Britt Wood, Lorraine Kreuger, the Pickard Family and Martha Tilton, assembled in a general store setting, all perform capably in a melodious musical. Tomlin and Miss Tilton are especially good in the vocal department and Miss Kreuger dances very well. Running time, 18 mins.

"Syncopated Sioux"
(*Universal*)

A satire on a tribe of Indians in battle, this is amusing. The rhythmic warriors in preparation for an attack upon two "frontiersmen," don war paint, go into a dance and then shoot arrows while palefaces do a disappearing act. Running time, 7 mins.

"Feminine Fitness"
(*Paramount*)

This is a "Sportlight" subject in which the feminine athlete takes the spotlight. Girls are seen participating in virtually every sport including football and wrestling. The short is novel and exploitable. Running time, 10 mins.

"Shop, Look and Listen"
(*Warners*)

An unidentified character is repeatedly interrupted in conducting his tour of a department store by Little Blabbermouse, an inquisitive and loquacious mouse. The latter is finally placed in a wrapping machine and thus hushed. Running time, 7 mins.

Money Pact With Britain Is Completed

(Continued from page 1)

able for remittance between Jan. 10 and Jan. 15.

Since the old agreement expired last Oct. 31, no remittances have been permitted. Closing of the agreement, therefore, will make November and December remittances, or 25 per cent of the first six months withdrawals, available immediately.

Late negotiations resulted in a removal of the condition that 50 per cent of the purchase price of British productions acquired by American companies for distribution elsewhere had to be paid in dollars. The entire amount may be paid in blocked sterling under the final agreement.

The restrictions against investment by American companies of their blocked sterling in British theatres stands.

Allocation of individual shares of the $12,900,000 total among the eight companies will be agreed upon here during the next few weeks. Last year, seven major distributors were authorized to withdraw $17,500,000, representing 50 per cent of their three-year average earnings in Great Britain. Universal, which is included in the new agreement, had a separate withdrawal arrangement last year under which it received $1,500,000.

Ontario Unions Fight Operators' Courses

TORONTO, Dec. 22.—Labor unions of Ontario have united in a protest against the action of the Provisional Government in establishing a system of instruction for film operators, consisting of a 12 months' course, in order to qualify for Government certificates. Applicants will be required to pay a fee of $100 to the Province before taking the course, the first of which will be opened shortly under the direction of O. J. Silverthorne, chairman of the Board of Moving Picture Censors, Toronto.

Labor associations declare that the proposed course is not appropriate during wartime, that a number projectionists are unemployed and that the training of new men in the 12 months' school, which will be of both a practical and theoretical nature, would add to the stress. Premier Hepburn declared, however, that objections would be of no avail as greater precautions are necessary in theatre booths. He claimed that the training of new operators will not put the older men out of jobs.

Court Gives Renewal Rights to Publisher

(Continued from page 1)

publisher, regular pay, and other clauses, made them employes.

The decision, which is expected to be appealed to the U. S. Supreme Court, has a direct effect on thousands of copyrights which came up for renewal in 1937, 28 years after the enactment of the Copyright Law. It is also likely to have considerable effect on contracts of songwriters with film companies, it was said. Leo J. Rosett, of House, Grossman, Vorhaus & Hemley, represented the publishers.

Feature Reviews

"Wild Horse Range"

(Monogram)

There is only a minimum of action and excitement in this western starring Jack Randall, based on an original screenplay by Carl Krusada.

The story presents Randall in the role of horse trader forced out of business because of the extremely low prices of a competitor, Forrest Taylor. Suspicious, he and an assistant investigate and, of course, discover his rival to be dealing in stolen horses. Taylor and his confederates are exposed after routine battles.

Randall and his assistant, Frank Yaconelli, score in respective assignments and doubtless will find favor with the Western fan. Raymond K. Johnson directed.

Running time, 51 minutes. "G." *

*"G" denotes general classification.

"Sensation"

(Film Alliance of the U. S.)

Produced in England a few seasons back, "Sensation" is based upon "Murder Gang," a play by George Munro and Basil Dean. The so-called "Gang" is a group of Fleet Street journalists who specialize in uncovering hidden facts behind crimes.

It is a newspaper story with a twist and exciting characters and which holds the interest. The cast is good and the direction adequate. The players include John Lodge, Diana Churchill, Francis Lister and Margaret Vyner. Brian Desmond Hurst directed.

As reporter and sleuth combined, Lodge delves deep into the circumstances behind a murder and with no regard for ethics emerges with the desired evidence and a scoop.

Running time, 54 minutes. "A." *

*"A" denotes adult classification.

Pa. M.P.T.O. Against Increase in Scales

PITTSBURGH, Dec. 22.—A resolution against increasing admissions for individual pictures in this territory was adopted at the last membership meeting of Allied M. P. T. O. of Western Pennsylvania.

The resolution stated that established admission prices in the area should be continued until such time as local economic conditions, in the opinion of the exhibitors, justified a permanent increase. It was stated that it had been the exhibitors' experience that grosses were adversely affected immediately before and after a picture was played at advanced prices; that pictures not so played were regarded of lesser merit by patrons, and that the very nature of theatre operation demands a set price policy.

Cuba Extends Zero Hour Three Months

(Continued from page 1)

of Cuban theatres on New Year's Eve, when their current contracts with American distributors expire.

However, some home offices expressed indecision as to whether or not they would accept spot bookings during the three months interlude. Several believe that such a course might be interpreted in Cuba as a sign of weakness which might interfere later with an acceptable disposition of the anti-block booking legislation.

To Operate K. C. Theatre

KANSAS CITY, Dec. 22.—Mainstreet Theatre, Inc., has been organized to operate the Mainstreet, 3,500-seat downtown first run that has been closed for three years.

Review Board Picks Its '10 Best Films'

The National Board of Review over the weekend announced its list of "10 best" American films for the current year. In order of preference, they are: "The Grapes of Wrath," "The Great Dictator," "Of Mice and Men," "Our Town," "Fantasia," "The Long Voyage Home," "Foreign Correspondent," "The Biscuit Eater," "Gone With the Wind" and "Rebecca."

"The Grapes of Wrath" was selected as "the best film of the year," and "The Baker's Wife" was chosen as "the best foreign language film" by the Board's Committee on Exceptional Photoplays, "on the basis of artistic merit and importance."

"The Fight for Life" was designated "the best documentary film," with an honorable mention given to "Power and the Land."

Dallas Variety Club Extends Over Texas

DALLAS, Dec. 22.—The local Variety Club, of which Paul Short is chief barker, has decided to extend its activities over the entire state of Texas, and the local club will be known as the Variety Club of Texas.

Short has designated personal representatives in the various sections as follows: Eph Charninsky, San Antonio; Harry Hall, Southwest Texas; John G. Long, southeast Texas; Clifford Porter, Beaumont; L. N. Crim, east Texas; Al Lever, Houston; Louis Novy, Austin; Frank Weatherford, Fort Worth; J. Yuell Robb, west Texas; R. N. Smith, Rio Grande Valley; Ben Ferguson, central Texas; Joseph Bryant, Lubbock, and R. C. McIlheran, Wichita Falls.

By the Ton

Racine, Wis., Dec. 22

THE Racine Goodwill Committee and the Goodfellows distributed three tons of nuts, three tons of candy, 77 bushels of apples, 60 cases of oranges, 12,000 popcorn balls and 12,000 books to children at Saturday morning shows at the nine local theatres—the Capitol, Uptown, Crown, Venetian, Rialto, Mainstreet, Douglas, Granada and State.

Extra B'way Shows On New Year's Eve

(Continued from page 1)

at 11:45 P. M. and the Capitol will start a complete show at about the same time. Neither will have more than one extra show.

The two-a-day theatres, the Astor and Broadway, where "The Great Dictator" and "Fantasia," respectively, are current, will adhere to their regular holiday schedule without change. The Astor always has a midnight show Saturday and will have one New Year's Eve, while the Broadway will not change its regular two-a-day schedule.

The Strand will add two stage shows, the last to start at 2 A. M., while the Roxy will add a midnight show and may add another if business warrants. Both will raise prices to a maximum of $1.65, depending on business. The Paramount will raise its scale to $1.10 at 7 P. M., and to $1.50 between 8 P. M. and 1 A. M., and will drop its prices thereafter depending on business. The Paramount's last stage show will start at 12:20 A. M.

The Rivoli, Globe and Rialto will continue all night, depending on business. Prices will be adjusted to street conditions, with the Rivoli going up to $1.65, the Globe 99 cents, and the Rialto 75 cents.

The Center Theatre will have two performances, one at 8:40 P. M. and the other shortly before midnight. Other legitimate plays will have their performances at the regular time. Some will raise prices substantially, while others will adhere to the regular scale.

To Raise New Year's Eve Prices in Albany, Utica

ALBANY, Dec. 22.—An increase in prices among downtown theatres in Albany and Utica, with prospects that a similar situation will prevail in other large cities in this territory is indicated.

Warners' Strand, Albany and Fabian's Palace will go from 44 cents to 65 cents for all seats at the special New Year's Eve shows. Fabian's Grand and Warners' Ritz will go to 50 cents. In Utica, Gordon's Olympic, Warners' Stanley and Avon all will charge 65 cents, absorbing taxes, while the Utica will charge 55 cents.

Building Memphis House

MEMPHIS, Dec. 22.—Construction of the city's largest theatre at a cost of $75,000 has been authorized. Owners of the project are Zerilla and Maceri.

FAME

The Audit of Personalities

IN PREPARATION

THE SEVENTH ANNUAL EDITION

■

BOX OFFICE CHAMPIONS OF 1940

Presented with complete analysis and personnel credits.

THE SEASON'S MONEY-MAKING STARS

Evaluated and reported upon by the exhibitor showmen of the world.

THE RADIO CHAMPIONS OF 1940

As polled by Motion Picture Daily among the editors of the daily newspapers of America.



One Dollar the Copy

EDITED BY TERRY RAMSAYE

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK

Ascap Sets $100,000 to 'Police' Air

(*Continued from page* 1)

from networks after Dec. 31, were cited as reasons for omitting the employes' bonus this year.

Ascap has ordered the installation of tape recording machines in all of its 34 offices throughout the country, to "police" the air. The machines cost $1,500 each, or $51,000 in all. Most will require two shifts of operators. They will be turned on at midnight, Dec. 31, and will record every unlicensed, or non-Ascap program thereafter.

In addition, Ascap's legal department is being geared to institute copyright infringement actions immediately that an unlicensed performance has been established.

While negotiations between Ascap attorneys and the Department of Justice on a consent decree in settlement of the six-year old anti-trust suit against the society are in progress in Washington, Ascap officials still do not anticipate an immediate agreement.

No legal form of decree was before the Ascap board for consideration at its meeting Friday, although progress of the negotiations was discussed informally.

Capital Reports
No Break in Deadlock

WASHINGTON, Dec. 22.—There are no indications of an early break in the Ascap-radio situation, which continues deadlocked.

National Association of Broadcasters officials said no new moves have been made by either side in the past few days and reiterated their determination not to negotiate on the basis of the contract Ascap has proposed.

Department of Justice officials also appeared to be marking time, awaiting the submission of satisfactory proposals from Ascap for settlement of the pending New York anti-trust case against the society.

Mexico Seeking to Close Two Stations

MEXICO CITY, Dec. 22.—The Mexican Government is again moving to close Stations XERA, of 180,000 watts, operated by Dr. John R. Brinkley at Villa Acuña, opposite Eagle Pass, Tex., and XENT, 50,000 watts, which the Dr. Baker interests conduct just south of Laredo, Tex., on the ground that these plants persistently violate Mexican law by broadcasting medical advertisements and thereby cheapen this country abroad.

The Government also plans to investigate Station XEAW, 100,000 watts, which the Collins medical enterprise operates at Reynoso, over the border from Del Rio, Tex. The Government believes that, at last, thanks to its ratification of the Havana pacts, it will be able to suppress these stations.

Opens Missouri House

KANSAS CITY, Dec. 22.—George Harttmann has opened the new Vogue at Lees Summit, Mo., near Kansas City. The theatre has been completely rebuilt at a cost of $35,000.

Off the Antenna

GUY C. HICKOK, director of the NBC short wave division for the past three and one-half years, has departed to join the Council of National Defense for the Coordination of Commercial and Cultural Relations between the American Republics. He will be assistant to Don Francisco, who heads the radio division of the council. Chief purpose of the radio division will be to coordinate the broadcasting activities of the six companies which maintain international short wave stations, and to arouse interest in Latin America for U. S. broadcasts.

• • •

Purely Personal: *Don Glassman, formerly of the NBC press department, recently won a* $500 *first prize for making a new model radio for Philco.... Ernie Smith will do the play-by-play for the East-West game over Mutual Jan.* 1....*Bill Terry has been named production manager of WSGN, Birmingham, Ala....Franklin Dunham, NBC educational director, will have his book, "Utilization of Radio in the Classroom," published by McGraw-Hill in the Spring.*

• • •

WGBI, Scranton, which goes to 1,000 watts March 29, has issued a new rate card effective Jan. 1. Basic rate is $150 per hour for evening time. Present advertisers will continue under existing rates, however, if their programs are not interrupted, and new advertisers who sign before Jan. 1 and start their programs within 60 days will also obtain present rates.

• • •

RCA Manufacturing Co. will expand its plants in Camden and Indianapolis at a total estimated cost of $2,370,034, under the terms of a contract award from the U. S. Navy, it has been announced. At the same time, RCA Communications disclosed that radio communication facilities were open to all parts of the world, except occupied France and Belgium, for the sending of Christmas greetings.

• • •

Program News: *C. F. Mueller Co. will sponsor the* 15*-minute newscast over WABC at* 9 *A. M. Mondays through Fridays, beginning Dec.* 30.... *Andrew Jergens Co. will replace "Hollywood Playhouse" with two* 15*-minute shows over* 66 *NBC-Red stations. Tony Martin will be heard from Hollywood at* 8 *P.M. and "How Did You Meet" an audience participation show will be heard from New York at* 8:15 *P. M.....Gabriel Heatter has been renewed by two sponsors and has had a new one added on his Mutual series. Kreml has renewed the Wednesday and Friday spots, Liberty the Thursday and Saturday shows, while Forhan's has purchased the Monday series, effective Jan.* 6.... *"Stepmother" enters its fourth year on CBS Jan.* 6 *and adds four stations on that day for a total of* 48. *Colgate-Palmolive-Peet is sponsor.*

• • •

Only two outside pickups comprise this week's television schedule over W2XBS. Friday at 8:30 P. M. there will be wrestling from Jamaica Arena, and on Saturday at 8:15 P. M. a double-header college basketball game from Madison Square Garden.

• • •

Norman Corwin arrived Saturday from Hollywood to direct his oft-repeated play, "The Plot to Overthrow Christmas," on the CBS Workshop at 10:30 P. M. Sunday. This was his inaugural program on CBS, first given at Christmas time in 1938. The script is being brought out in book form by the Peter Pauper Press. Corwin will return to Hollywood after the holidays to complete his assignment as coordinator of "Let the Rafters Ring," which Sir Cedric Hardwicke and others are producing for RKO release for the benefit of British and American charities.

• • •

An all-night jamboree *was conducted over WNEW from* 1 *to* 6 *o'clock this morning for the benefit of Bundles for Britain. Prominent stars were heard during the program making their appeal for aid to Britain. The station donated its share of proceeds received from telegraphed requests for entertainment.*

CBS Stock Sale Is Reported by S. E. C.

WASHINGTON, Dec. 22.—Disposition of 1,000 shares of Columbia Broadcasting System Class A common stock in October has been reported for Paul W. Kesten, New York, by the Securities and Exchange Commission in its semi-monthly summary of the transactions of corporation officers and directors in the securities of their companies. At the close of the month Kesten held 1,501 shares of Class A and 800 shares of class B stock.

Manages Mexico Station

MEXICO CITY, Dec. 22.—Station XEFO here, owned and operated by the Party of the Mexican Revolution, which dominates Mexican politics, has a new manager, Carlos V. Ariza, who was Mexican consul in Tokyo.

Baird Demonstrates Television in Color

LONDON, Dec. 22.—John L. Baird, president of Baird Television Co., Ltd., on Friday demonstrated privately his color television. Observers noted that the reception and color were highly effective.

The Baird demonstration used landline transmission. The system is expected to be marketed after the war.

Pittsburgh Billboard Ban to Be Proposed

PITTSBURGH, Dec. 22.—Legislation will be introduced into the City Council late this month to eliminate posters and billboards along Pittsburgh's principal boulevards. The council already has adopted a zoning ordinance which will prevent erection of new billboards on vacant property along the city's streets.

WNEW Staff Gets Christmas Bonus

A Christmas bonus of two weeks' salary to most employes, and larger bonuses to some others, was given at WNEW Friday. Included among employes receiving bonuses were members of the announcing and engineering staff and, for the first time, the station's house orchestra.

Musicians' Union Reelect Rosenberg

In a complete sweep for the "Blue" administration slate, Jacob Rosenberg was reelected president of Musicians Union, Local 802, over Albert Pearl by a vote of 4,984 to 2,858, it was disclosed Friday. Richard McCann was reelected vice-president over Richard Baravalle by a vote of 5,098 to 2,770; William Feinberg was reelected secretary over Eddie Davis by 5,213 to 2,675, and Harry A. Suber was treasurer over Ross S. Gorman, 5,092 to 2,782.

Emil G. Balzer, William Laendner, John H. Long, John Manuti, Maurice Purgalin, Aldo Ricci, Robert Sterne, Samuel Suber and S. C. Thompson were elected to the executive board. Max L. Arons, Sherman G. Brande, Frank Garisto, Eddie Horn, Richard Landon, C. G. McGibney, William M. Powers, George Schector and Gino Tirelli were elected to the trial board.

Arons and Harry A. Suber were named delegates to the American Federation of Musicians convention, Balzer and McCann to the State Federation of Labor, Feinberg, McCann and Rosenberg to the Central Trades and Labor Council, and Louis Grupp to the United Hebrew Trades.

Equity Seeking End Of Exclusive Clause

Resolutions calling upon the Actors Equity Council to eliminate the exclusive service clause from the standard contracts, to give junior members full voting privileges, and to appoint a committee to aid Equity members appearing before local draft boards were passed Friday by about 200 members who attended the quarterly membership meeting at the Hotel Astor. The resolutions are advisory in nature as the council cannot be controlled by the membership meeting.

Paul Dullzell, executive secretary, in his report declared that it was too early to determine whether Sunday shows or the increase in minimum wages to $50, had any effect on employment for performers. Dullzell said the effects would be watched carefully and the experiments discontinued if increased employment did not result.

Dullzell said that action on Equity's decision to bar members of the anti-American groups from holding office or being employed by Equity has been delayed pending changes in the constitution.

Altec Closes Welworth

The Welworth Circuit, operating 10 theatres in North Dakota, South Dakota, Minnesota and Wisconsin, has signed a service contract with Altec. O. E. Maxwell negotiated for Altec.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 123 NEW YORK, U. S. A., TUESDAY, DECEMBER 24, 1940 TEN CENTS

CBS to Have Network in Latin America

18-Country Web to Start In Fall, Says Paley

By SAM SHAIN

"On or about Sept. 1, 1941, Columbia Broadcasting System will be firmly established in Latin America with an affiliation of 39 long-wave and 25 short-wave stations in 18 of the 20 Latin American Republics."



William Paley

This was William S. Paley's Christmas message yesterday to the amusement world and to official persons interested in hemisphere defense, upon his return from a seven-week trip to the Spanish-American

(Continued on page 6)

To Honor Masters At Toronto Dinner

TORONTO, Dec. 23.—Haskell Masters, former Canadian manager for United Artists, and newly appointed Western division manager for the company, will be tendered a farewell dinner Saturday night at the King Edward Hotel here.

Louis Rosenfeldt, general manager of Columbia Pictures of Canada, is arranging the dinner. Masters is expected to take up his headquarters at the home office Jan. 2.

Rites for Underwood Of 20th-Fox Today

Funeral services for Franklyn Underwood, 63, Eastern story editor for 20th Century-Fox, will be held at 10:30 A.M. today at the Little Church Around the Corner. He died Sunday

(Continued on page 7)

Two Coast Reviews

Hollywood reviews of "This Thing Called Love" and "She Couldn't Say No" appear on Page 7.

$2,000,000 Recovered In U. S. Taxes Here

More than $2,000,000 in past due Federal admission taxes has been recovered by the Government in the last 18 months in the New York metropolitan area from theatres, night clubs and other amusement places, Special Assistant Attorney General Jesse Moss, head of the New York division, said yesterday. The Government has prosecuted about 95 cases here, he said.

Pre-Holiday Spurt At B'way Theatres

Grosses turned upward yesterday as capacity crowds thronged at least three Broadway first runs, the Music Hall, Paramount and Strand, during the matinee hours. The welcome upswing, after two weeks of poor business, was attributed largely to the school recess and the influx of many soldiers and other visitors to the city in preparation for the holiday. Generally, it was pointed out, the seasonal pickup does not begin until the day after Christmas.

With its annual special Christmas stage show as an added attraction, the Music Hall drew an estimated $56,000 for the first four days of "No,

(Continued on page 7)

Disney Productions Shows $1,259,798 Loss for 1939-'40

HOLLYWOOD, Dec. 23.—Net loss of $1,259,798 for the fiscal year ended Sept. 28 last is reported by Walt Disney Productions in its first annual report following its public stock offering of last April.



Walt Disney

The result is after all charges including provision of $1,000,000 representing an anticipated loss on "Pinocchio."

In his letter to stockholders accompanying the report, Walt Disney states the total production cost of "Pinocchio" was $2,595,379; that it had grossed $1,673,956 up to Sept. 28, of which the Disney company's share amounted to $976,211. It is anticipated that the company will receive $619,167 from the picture's earnings after Sept. 28, and, "accordingly, a charge of $1,000,000 has been made to provide for the excess of cost of this

(Continued on page 6)

Local Charges On Arbitration Being Set Up

Standard Fees in Each Area, Aim of A.A.A.

Establishment of a standard scale of fees for arbitrators in each arbitration district throughout the country is being undertaken by the American Arbitration Association here in its continuing effort to control costs and so make arbitration proceedings as inexpensive as possible.

Only the most unusual of complaints are expected to warrant the $50 per day maximum fee for arbitrators, it was said.

Numerous disputes of a nature which do not require extended hearings will warrant fees ranging as low as $5 per day for an arbitrator. In fact, the A. A. A., through its scale of fees, hopes to make it possible for exhibitors to obtain an arbitration hearing on a wide variety of complaints for arbitrators' fees not in excess of $15.

The scale of fees is expected to be completed early in January or before.

(Continued on page 6)

NAB Fights on As High Court Takes Florida Case

While attempts to fix the terms of the Ascap consent decree failed to show any real progress, and Neville Miller, National Association of Broadcasters president, asserted that reports of mediation were "entirely without foundation," several phases of yesterday's Ascap-BMI developments were significant.

Gene Buck, Ascap president, declared that any network or station which desires to use Ascap music after Jan. 1 on a sustaining program prepared by a religious or educational organization or a Government agency, will be permitted to do so without charge.

BMI claimed to have 68 per cent of the nation's independent stations signed or pledged to take its music after Jan. 1, with 610 stations of a total of about 750 commercial outlets in the country.

Buck in his statement declared that it had always been Ascap's policy to permit religious, educational and Gov-

(Continued on page 8)

WASHINGTON, Dec. 23.—The Supreme Court, holding it had probable jurisdiction, today consented to review appeals involving the constitutionality of Florida's anti-Ascap legislation.

The appeals, both by Ascap and Florida, were placed on the high court's calendar and probably will be reached in February, shortly after the court hears the appeal involving the Nebraska anti-Ascap law, which it also agreed two weeks ago to review.

Both cases may determine the constitutionality of anti-Ascap legislation in other states, according to Herman Finkelstein of Schwartz & Frohlich, counsel for Ascap.

The Florida law, passed in 1937, was declared invalid by a Federal statutory court last summer, and an injunction against enforcement of the law was issued. An appeal was taken by the state from the lower court's ruling that its right to regulate price-fixing practices or combinations as set forth in the statute was inseparable

(Continued on page 8)

Barney Balaban Answers Strom

Paramount intends to abide by the consent decree in "letter and spirit, will try to make it work for the good of all, will give it a fair trial and hopes that its customers will do likewise," Barney Balaban, president, asserts in a letter sent yesterday to Fred

(Continued on page 7)

Home Offices Will Close Early Today

All home offices of film companies will close in the early afternoon today in observance of the Christmas holiday. Some will hold informal parties for employes, as will the exchanges. The Paramount Pep Club will hold a party in the afternoon.

No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, which is Christmas Day.**

Coast Flashes

Hollywood, Dec. 23

MACK SENNETT will be master of ceremonies Friday night at the dedication of a new $250,000 sound stage to the memory of Mabel Normand. Among those invited as honor guests are former Keystone Komedy Kops Raymond Griffith, Edward Cline, Lloyd Bacon, Tay Garnett, Frank Lloyd, Monte Banks, Charles Reisner, Roy Del Ruth and Wesley Ruggles.

•

John W. Rogers, son of Charles R. Rogers, Columbia producer, today resigned from the 20th Century-Fox production department to become vice-president and a member of the board of Picture Corp. of America, which plans three aviation films for Paramount release. Rogers will be associate producer with William C. Thomas. The first will be "Power Dive," featuring Richard Arlen, with James Hogan directing.

•

Major W. S. Van Dyke today obtained special leave from the U. S. Marines to direct "Rage in Heaven" for M-G-M, illness having forced Robert Sinclair, who started the Robert Montgomery-Ingrid Bergman film, to relinquish the assignment. Van Dyke will return to the San Diego base Jan. 6.

•

Milton Berle has been signed to a long term contract by 20th Century-Fox, the studio announced today.

Personal Mention

SIDNEY R. KENT, president of 20th Century-Fox, has returned from the Coast, where he attended the funeral of his brother, ERNEST KENT.

•

CARL R. BAMFORD, president of Publix-Bamford Theatres, Asheville, N. C., has been named to the board of the Asheville Chamber of Commerce.

•

SAM STIEFEL, Philadelphia independent circuit head, is home ill with the grippe.

•

CHARLES MCLEARY, manager of Loew's Parkway Theatre, Baltimore, has returned to duty after a recent illness which confined him to Sinai Hospital.

•

LARRY MACKAY, manager of the Arcadia, Philadelphia, is ill with an eye infection.

•

JOE SHEA, field publicist for United Artists, will return to New York from Minneapolis on Thursday.

•

JOHN G. WALSH, M-G-M exploitation man in the Albany territory, has left with MRS. WALSH and their son to spend the holidays in Cleveland.

•

TAY GARNETT, director, is spending a vacation of several weeks in New York.

•

JACK NEEDHAM, 20th Century-Fox salesman in Columbus, is vacationing in Florida.

W. A. (AL) STEFFES, of Minneapolis, former head of Northwest Allied, is in Miami, continuing his recuperation from a long illness.

•

MONROE GREENTHAL, EDWARD PESKAY, HORTENSE SCHORR, MAURICE BERGMAN, LOU POLLOCK, PAUL BENJAMIN, MILTON SILVER and HANK LINET lunching yesterday at the Tavern.

•

HARRY GOLD, B. S. MOSS, ARTHUR SILVERSTONE, ARTHUR GOTTLIEB and HAL HORNE having lunch at Lindy's (51st St.) yesterday.

•

RALPH AUSTRIAN, ADOLPH ZUKOR, SAM SHAIN, TOBY GRUEN, ED SAUNDERS and RUSSELL HOLMAN at Nick's Hunting Room in the Astor yesterday for lunch.

•

ABE MONTAGUE, RUBE JACKTER, ARCHE MAYER, LOU WEINBERG and IRVING SHAPIRO lunching at Lindy's (next to the Rivoli) yesterday.

•

STANTON GRIFFIS, MARCUS HEIMAN, ARTHUR LOEW, JOHN D. HERTZ, JR., LEE SHUBERT, ARTHUR KRIM, LOUIS PHILLIPS, MORT SPRING, WILLIAM MELNIKER, DAVE BLUM and SIDNEY PHILLIPS having lunch yesterday at Sardi's.

•

LOUIS DAVIDOFF, West Philadelphia district manager for Warner Theatres, is home recovering from an illness.

•

BEATRICE LEVENSTEIN of Warners' New Haven branch has announced her engagement to HARRY QUINT of Mt. Vernon, N. Y. They will be married next month.

Leaves Indiana A.T.O.

INDIANAPOLIS, Dec. 23.—Mrs. Norma Todd has resigned as secretary of the Associated Theatre Owners of Indiana after serving the organization the last five years. Her successor is Christmas Kirk, who has been in the industry about seven years and formerly was secretary and shorts booker for the Schwartz Amusement Co. of Louisville.

Manager Beaten, Robbed

BUFFALO, Dec. 23.—Hayes Garbarino, manager of the Franklin at Lackawanna, near here, was taken to a hospital with skull injuries and a broken arm this afternoon after being beaten by two men who robbed him of $402, the weekend receipts. He took charge of the theatre last week.

Smith Heads Ball Club

HOT SPRINGS, Ark., Dec. 23.—W. Clyde Smith, manager of Malco theatres here, has been elected president of the Hot Springs Baseball Club of the Cotton States League. He has been active in civic affairs since coming here five years ago.

L & J Manager Dies

WAYCROSS, GA., Dec. 23.—William L. Wilson, Jr., manager of the Lucas & Jenkins theatre here, died recently. The deceased leaves his widow, a son and a daughter.

Variety Club Gave $342,000 Since '27

Pittsburgh, Dec. 23.—Charities of the local Variety Club have exceeded $342,000 since its founding in 1927, officials disclose. Biggest recipient has been the Milk Fund in which $250,000 has been distributed to institutions throughout western Pennsylvania.

Other beneficiaries: boys' camp, $20,000; boys' funds, $20,000; aid to individuals, $15,000; girls' camp, $10,000; hospital aid, $10,000; explosion sufferers, $6,000; rebuilt church, $5,000; Community Fund, $5,000.

Loew-Poli New Haven Division Party Held

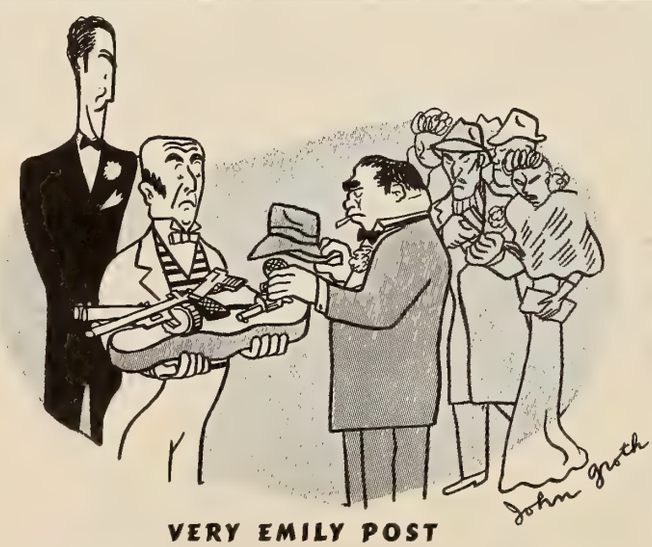
NEW HAVEN, Dec. 23.—The Loew-Poli division party was held tonight at the Hotel Taft, with Lou Cohen of the Palace, Hartford, master of ceremonies. On the guest list were: Harry F. Shaw, division manager; Lou Brown, publicity chief; Morris Mendelsohn, Elliott Kronish, Charlotte McQuigan, Dave Kaufman, James Memery, Florine Bauer, Robert Russell, Sam Badamo, William Reisinger, Matt Saunders, Morris Rosenthal, Harry Rose, H. H. Maloney, Jack Simons, Lou Cohen, Edward Fitzgerald, Joseph Samartano, George Freeman, Robert Portle, Joe Amsted, Jack Sidney, Bob Carney, Tony Massella, Nat Rubin, Robert Munzner, Vernon Burns, George Loukides, Willian Scanlon, Wally Cooper, Sidney Klepper, Boyd Sparrow, Morris Druckner, Max Nesvetsky, Russell Moriarty, Otto Esposito, Al Domiam, A. Cleveland, Shirley Cleveland, Max Furman, Jack Brassil.

Plan Party for Lessy

PHILADELPHIA, Dec. 23.—The local film industry is planning a testimonial dinner for Mike Lessy, well known independent exhibitor, who plans to retire after 35 years in the business.

Gets Exhibitor Unit Post

CINCINNATI, Dec. 23.—James Shepard, former manager of the Drive-In, has been named business manager of Greater Cincinnati Independent Exhibitors Association.



VERY EMILY POST

Cesar Romero, as the Romeo of the rackets, insists that all guests attending his exclusive functions turn over to the butler their brass knucks, iron pipes, gats, and miscellaneous artillery.

TALL, DARK and HANDSOME

20th's natural!... loaded with laughs! thrills! tunes!

20th CENTURY FOX

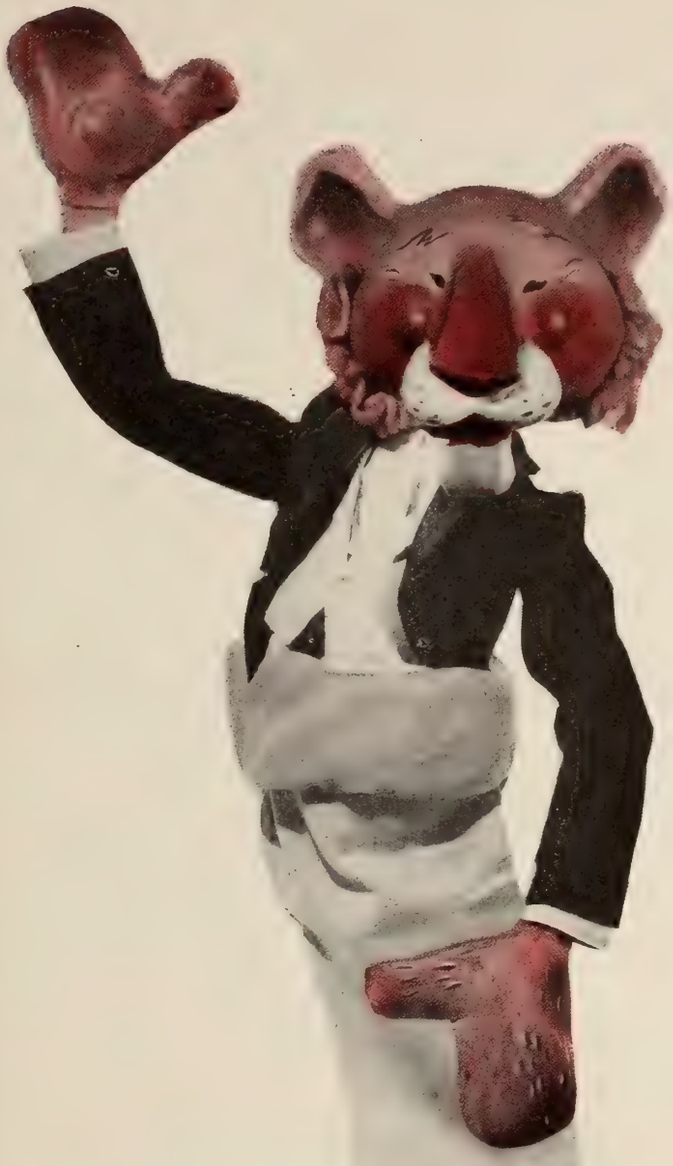
MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame.

Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

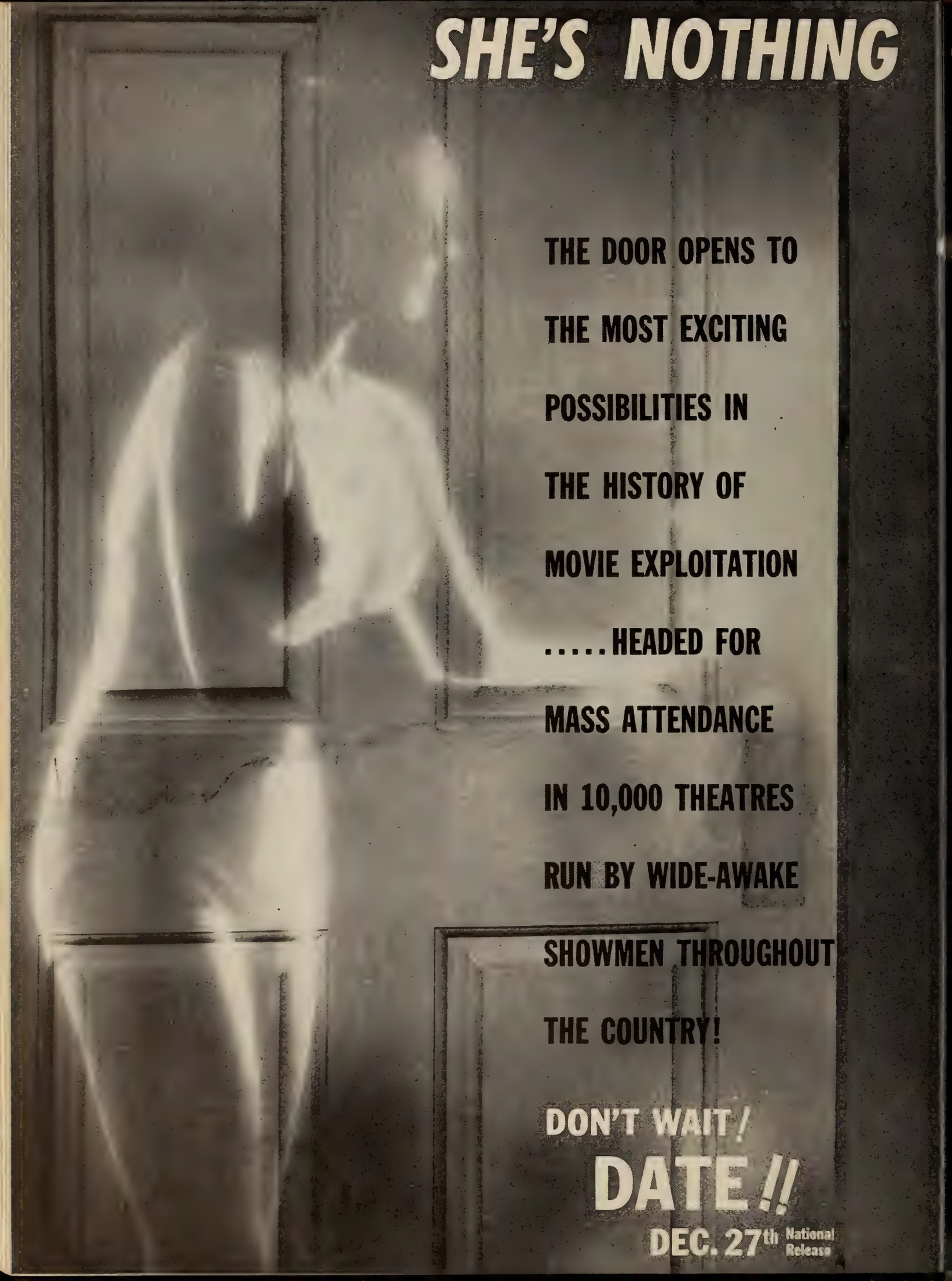


FULL OF GOOD THINGS!

CLARK GABLE, HEDY LAMARR in "COMRADE X" • ROBERT TAYLOR in "FLIGHT COMMAND" • CARY GRANT, KATHARINE HEPBURN, JAMES STEWART in "PHILADELPHIA STORY" JAMES STEWART, HEDY LAMARR in "COME LIVE WITH ME" "ANDY HARDY'S PRIVATE SECRETARY", LEWIS STONE, MICKEY ROONEY • GREER GARSON, WALTER PIDGEON in "BLOSSOMS IN THE DUST" (Technicolor) • WALLACE BEERY in "THE BAD MAN" • WILLIAM POWELL, MYRNA LOY in "MR. CO-ED"• SPENCER TRACY, MICKEY ROONEY in "MEN OF BOYS TOWN" • JAMES STEWART, JUDY GARLAND, HEDY LAMARR, LANA TURNER, TONY MARTIN in "THE ZIEGFELD GIRL".

"May your Christmas stocking overflow with bounties all of 1941"

The Friendly Company


SHE'S NOTHING
THE DOOR OPENS TO
THE MOST EXCITING
POSSIBILITIES IN
THE HISTORY OF
MOVIE EXPLOITATION
.....HEADED FOR
MASS ATTENDANCE
IN 10,000 THEATRES
RUN BY WIDE-AWAKE
SHOWMEN THROUGHOUT
THE COUNTRY!
DON'T WAIT!
DATE!!
DEC. 27th National Release

—BUT PURE BOX-OFFICE LURE!





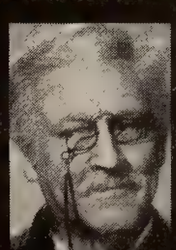
"THE INVISIBLE WOMAN"

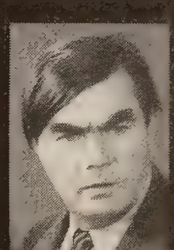
starring **VIRGINIA BRUCE · JOHN BARRYMORE**
JOHN HOWARD · CHARLIE RUGGLES · OSCAR HOMOLKA
with Edward Brophy • Donald McBride • Margaret Hamilton

Screen Play by
Robert Lees · Fred Rinaldo · Gertrude Purcell
Original Story by Kurt Siodmak and Joe May

Directed by
A. EDWARD SUTHERLAND
Associate Producer, Burt Kelly

A UNIVERSAL PICTURE

Local Charges On Arbitration Being Set Up

(Continued from page 1)

Each scale which is established will take into account the business nature of the individual arbitration territory; for example, fees for all hearings will be less in territories such as Oklahoma City and Charlotte than in Chicago and Los Angeles, and the latter may be less than those in New York.

In addition, the scale in the individual territories will vary in accordance with the type of complaint which is heard. Arbitration of disputes over whether or not pictures are subject to cancellation on religious or moral grounds, and conceivably other disputes of this kind, will be heard without payment of any fee whatever to the arbitrators. This is due to the fact that the A. A. A. considers that type of dispute to be in the public interest.

Less Costly Than Courts

The A. A. A. points out that while arbitration is not intended primarily to be an expenseless or free service, it is designed to be far less costly than court litigation. This is the basic thought of the organization in its effort to control costs of the process in the film industry, it was said.

J. Noble Braden, executive secretary of the A. A. A., who returned to New York over the weekend, after completing preliminary arrangements for the establishment of 18 of the industry's 31 local arbitration boards, in the Middle West and Far West, may make public today a report on the organization work accomplished thus far. He will leave for the South in about a week to prepare for the establishment of the local boards there. Meanwhile, A. A. A. headquarters is handling the preliminary work on the Eastern seaboard units.

All 31 boards are scheduled to be in readiness to function in about a month.

De Rochemont Rites Held

BOSTON, Dec. 23.—Funeral services for Louis L. De Rochemont, 68, who died here Saturday of a heart attack, were held today at Chelsea, Mass. Burial was in Woodlawn Cemetery, Everett, Mass. The deceased, a Boston attorney, was the father of Louis De Rochemont, publisher-producer of The March of Time, and Richard De Rochemont, its managing editor.

Warning!

We are the exclusive distributors, sole copyright owners and exclusive holders of the censorship licenses of the motion picture.

"Ecstasy"

Any showing of this film without our authorization will be considered a copyright violation.

For bookings apply to Samuel Cummins, Eureka Productions, Inc., 230 East 41st Street, New York City.

CBS to Have Net In Latin America, Paley Discloses

(Continued from page 1)

countries. Programs will be broadcast in Portuguese and Spanish in rigidly native fashion.

These stations will be under contract with CBS for five years, with the exception of one station (Argentina), and the terms of their affiliation with CBS will be the same as those under which the network operates with American stations. At present CBS operates, in addition to the U. S., in Hawaii, Puerto Rico and Canada. CBS is spending approximately $400,000 on transmitter equipment to make the new network possible and before embarking on this plan, Paley stated that it had been discussed with the U. S. State Department where it had been enthusiastically received. Don Francisco, head of the radio section of the communications division of the U. S. Committee to Co-ordinate Commercial and Cultural Relations between the American Republics, is now making the same tour which Paley made and in all probability the CBS plans will be discussed with him upon his return. Also, a CBS engineer will soon go to Latin America to help coordinate the equipment side of the venture.

CBS intends to employ the resources of two 50,000 watt transmitters, WCBX and WCRC, for the new Latin American network.

News Chief Subject

Broadcasting of news will be the principal job of the new network, and secondly will be the broadcasting of the culture and refinement of the Latin American countries, including dramas and serials. Paley stated yesterday that the Latin Americans are hungry for real, authoritative news of what is going on and that he found a natural affection and esteem among the natives of the countries which he visited for the United States. Paley described this affection as "intuitive."

Some of the stations which CBS will have as affiliates in South America will be Government owned, such as in Peru, Bolivia and Brazil, but otherwise and in the main the affiliates are the "most popular" in their realms, Paley stated, and were chosen as affiliates for that reason, only.

In some instances CBS will be affiliated with entire native networks. Germany and Italy have from time to time bought time in the Latin American countries for rebroadcasting and generally have been more successful in attracting Latin American listeners, because of their more powerful transmitter signals, than American stations. In fact, the American stations have been practically and for the most part unheard in Latin America. However, while the German-Italian Axis propaganda broadcasts have been more successful in reaching the Latin American public than American stations, Great Britain is quite powerfully heard there, too.

The Latin-American affiliates will carry one hour daily of CBS sustaining programs and will also be open to commercial programs from the network, starting with about 20 hours of CBS programs a week. Programs will be controlled at the source on both ends. Thus the Latin-American stations will control their programs and CBS here will control those which originate here.

Edmund A. Chester, of the Associated Press, in South America, has been retained by CBS to handle its news and for the new Latin American group.

The New York Philharmonic, whose music is presently being broadcast on short wave, will continue to be an important part of the CBS Latin American programs.

"The new network," said Paley, "will not be used for political propaganda of the type disseminated from numerous European transmitters."

CBS has been sending programs regularly to Latin America since 1929. Since 1930, the short-wave power of CBS has advanced from the original 500-watt W2XE transmitter to a 1,000-watt station and four years ago to the 10,000-watt station WCBX.

Eight Antennas for S.A.

The two new 50,000-watt stations which CBS is erecting are on the 1,200-acre short wave transmitting site of the Mackay Radio and Telegraph Company near Brentwood, L. I. Mackay R. and T. Co. is a subsidiary of the International Telephone and Telegraph. Eight antennas are being constructed exclusively for Latin American use, capable of 15 different broadcasting combinations with either of the two stations, WCBX and WCRC.

The present average short wave power of the Columbia Broadcasting System is 70 k.w. The new transmitters with their associated directional antennas will be capable of radiating an average effective power of 1500 k.w.—1,500,000 watts towards Latin America.

Countries in which CBS will operate in Latin America are Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela.

Paley's survey of Latin America was made with the assistance of Paul W. White, director of news broadcasts.

Two Firms Chartered

ALBANY, Dec. 23.—Jerome Theatre Corp. and Trapeze Productions, Inc., have been incorporated here. Jerome Theatre was formed by John J. Slattery, Josephine Degnan and Sylvia Goodman, New York, and Trapeze by B. L. Maarsen, Geraldine Weiss and Rose Lader, New York.

Fitzgerald Services Set

HOLLYWOOD, Dec. 23.—The body of F. Scott Fitzgerald, 44, writer, who died Saturday, will be sent to Baltimore for funeral services and burial. In recent years he was a scenarist, recently finishing a script, "The Light of Heart," for 20th Century-Fox.

Disney Productions Shows $1,259,798 Loss for 1939-'40

(Continued from page 1)

picture over the estimated total revenues."

The Disney statement asserts that with the completion last Spring of the company's new studio, production has been augmented 100 per cent and a substantial reduction of production costs per foot have been realized. As a result, Disney states, the company now believes "it has adjusted operations to a schedule of production and costs designed to be independent" of foreign markets.

The report states that Disney delivered one feature and 10 short subjects to RKO during the fiscal year ended Sept. 28, and that it contemplates delivery of two features, "The Reluctant Dragon" and "Bambi," and 20 short subjects to RKO during the fiscal year ending Sept. 28, 1941. Under a recent extension of its contract with RKO, it will deliver an additional 18 short subjects thereafter.

Plan Two a Year

It has an additional feature, "Dumbo, the Flying Elephant," in work, for which no distribution deal has been set yet. Features scheduled for release in 1942 are "Peter Pan" and "Wind in the Willows." The company plans to produce two or more features annually in addition to its shorts, as an established policy, according to the statement. The company currently has 28 shorts in various stages of production.

Its inventory of pictures in process, including features, amounts to $3,650,256, the highest in its history. In addition, it has 149 stories which cost $367,275.

The report shows total income for the year of $2,525,723, of which $1,954,335 was the producer's share of film rentals and the balance from licensing of Disney characters and music royalties. General, administrative and selling expenses amounted to $649,354, and amortization of picture costs, $1,719,140.

The company reported total assets of $8,562,137, of which current and working assets, including cash of $116,218, amounted to $5,058,966. Current liabilities were $2,606,315, including five per cent demand bank notes amounting to $1,932,992, secured by negatives.

Mexican Ban Lifted On Religious Films

MEXICO CITY, Dec. 23.—President Manuel Avila Camacho has already acted favorably upon his pre-election statement that he is for all religious liberty and expression by permitting public exhibition here of two pictures that had been banned by the old administration, because they were religious.

The pictures are "La Reina de Mexico" ("The Queen of Mexico"), the first film story of the appearance here in 1530 of Our Lady of Guadalupe, this country's patron saint, and "St. Therese of the Child Jesus," a French production.

Barney Balaban Answers Strom

(*Continued from page* 1)

H. Strom of Northwest Allied, Minneapolis.

Strom had written Balaban expressing concern over a quotation in a trade paper interview, which he feared indicated that Paramount might attempt to evade the decree by not selling subsequent picture blocks to exhibitors who did not buy the first offered.

"If Paramount should offer a block of five pictures and no others at the time," Balaban's letter states, "each exhibitor to whom it is offered is perfectly free to buy or not to buy, strictly upon his judgment as to its merit; and neither the distributor nor the exhibitor could under such circumstances bring any other picture or block of pictures into the equation."

Balaban points out that the method which Strom feared Paramount might pursue would be contrary even to good business procedure.

"To attempt to accumulate product for indiscriminate offering," he states, "without recognizing the fact that some order is necessary would not simplify or aid in the solution" of the problem of avoiding confusion in the sale and booking of pictures under the new order.

Assuring Strom and his exhibitor associates that they "need have no concern about the intentions of Paramount and its officers and employes about the consent decree," Balaban emphasizes that "product must not be dissipated or sacrificed either by exhibitor or distributor in any arbitrary way because if this happens everybody loses."

72 to Join Pioneers Philadelphia Group

PHILADELPHIA, Dec. 23.—A local chapter of Motion Picture Pioneers, being organized by Jay Emanuel, has rounded up 72 members of the industry who have been in the business in this area for 25 years or more.

The membership of the group includes: George P. Aarons, Ben Amsterdam, E. E. Applegate, D. O. Atkinson, Dave Barrist, Jay Becker, A. J. Belari, William Bethel, A. R. Boyd, Frank Beuhler, William Butler, L. J. Chamberlain, James Clark, Joseph Conway, Herb Elliott, L. A. Farrell, Al Fisher, Jacob Fox, Ed Gabriel, William Gabriel, William Goldman, Charles Goodwin, Jack Greenberg, Luke Gring, Ben Harris, William Herchenrider, Fred Herman, I. M. Hirschblond, William Hissner, Floyd Hopkins, William C. Hunt, Bud Irwin, Bill Keegan, Dave Korson, Jack Kraker, Sam Lefko, Mike Lessy, Ike Levy, Norman Lewis, Oscar Libros, Spencer Lockard, William MacAvoy, Jr., Pete Magazzu, Ike Marcus, John Monroe, George Naudascher, Oscar Neufeld, J. Fred Osterstock, Si Perelsweig, Lewen Pizor, Nick Power, George Reister, Johnny Roberts, Milt Rogasner, A. J. Rovner, Abe Sablosky, Lou Sablosky, Sidney E. Samuelson, "Doc" Shád, J. V. Schrek, George Schwartz, Ben Schindler, Ulrik Smith, Columbus Stamper, Harry Stiefel, Nathan Stiefel, Oscar Stiefel, Sam Stiefel, Earle W. Sweigert, Morris Wax, G. F. Wieland and Walter Yost.

Hollywood Reviews

"This Thing Called Love"

(Columbia)

Hollywood, Dec. 23.

CONTINUING cultivation of the comedy vein opened up with "It Happened One Night" and worked with consistent success down the years to "He Stayed for Breakfast," Columbia offers herewith a sophisticated treatment of the marital relationship hailed by a Hollywood preview audience as tops for the type. Starring Rosalind Russell and Melvyn Douglas, supported by Binnie Barnes, Allyn Joslyn, Gloria Dickson, Lee J. Cobb, Gloria Holden, Paul McGrath and others, the film makes direct bid for adult interest and stresses frustration throughout as the point of its humor.

Based upon a play by Edwin Burke, with a script by George Seaton, Ken Englund and P. J. Wolfson, the picture opens with Miss Russell, insurance company statistician, welcoming to Chicago her fiance of five days' acquaintance, Melvyn Douglas, determined to prove, by marrying him with stipulation that their union will not be consummated for 90 days, that most divorces would not occur if newlyweds followed this plan. Douglas argues against it but is persuaded by his attorney that he can convince the lady after the ceremony, by charm and intimate association, of the error of her idea.

They are married and he attempts, on their bridal night, to overcome her restrictions by masculine wiles, champagne and suggestion, but fails. Other couples and families concerned in the story have varying adventures bearing upon their own and finally, on advice of her best friend, she abandons her idea and seeks to bring the marriage to the traditional basis. But Douglas, meanwhile, has contracted poison-oak infection under circumstances he cannot disclose to her, wherefore he resists her in a sequence paralleling her resistance to him. After a number of complications, surprises, coincidences and events, including some rough-and-tumble, they are on the point of consummating their marriage as the picture ends.

Production by William Perlberg and direction by Alexander Hall are of high polish and skilled planning. Dialogue is keen-edged and effective. Performances of all players are expert and convincing.

With delayed consummation of marriage the theme of the comedy, alternating attempts of both parties to accomplish it supplying motivation, the production is, of course, for mature audiences only.

Running time, 93 minutes. "A."* ROSCOE WILLIAMS

**"A" denotes adult classification.*

"She Couldn't Say No"

(Warners)

Hollywood, Dec. 23.

ROGER PRYOR, Eve Arden and Cliff Edwards appear here in the leading roles of a comedy dealing with love and lawyers.

Pryor is cast as a young attorney whose first break on a case takes him away from his office, whereupon Miss Arden, acting in the capacity of his secretary but also a full fledged lawyer, is forced to take a complementary case, although knowing her boss's objections to having his future wife have a career of her own.

The two cases merge into one, a breach of promise suit for $100,000 brought by a spinster of 60-odd years against her alleged heart-breaker of 81. The young man and his secretary find themselves as opposing counsel, with the case ending in reconciliation between plaintiff and defendant, as well as between the two attorneys.

Cliff Edwards is seen as a process server and general handy man to the attorneys, Clem Bevans and Vera Lewis as the litigants. Earl Baldwin and Charles Grayson wrote the screenplay, from a stage vehicle by Benjamin M. Kaye. William Clemens directed, and William Jacobs was associate producer.

Running time, 64 minutes. "G."* W. S.

**"G" denotes general classification.*

Add Three Franchises

Film Alliance of the United States has added three new franchise holders. Atlantic Pictures will handle the product in the New Orleans territory; Adams' Film Exchanges in Dallas, Oklahoma and Arkansas in those areas, and Northeastern Film Co. in the Boston territory. Norman Elson, sales manager, has returned from a three-weeks sales trip.

Handle Texas Short

DALLAS, Dec. 23.—"The Cavalcade of Texas," all-color short subject showing the resources of the state, will be distributed nationally by Monogram. The deal was closed between Karl Hoblitzelle, acting chairman of the Texas World's Fair Commission, and John L. Franconi, Dallas franchise holder for Monogram.

Time Had Come

Philadelphia, Dec. 23.

AN unusual free matinee was run at the Temple when manager Reuben Porit, upon opening the house, found some 60 youngsters lined up in front of the box-office with canned goods. Although no announcement had been made of a canned goods matinee, the youngsters apparently decided that since the Temple ran a matinee annually, this was as good a time as any. Porit admitted all the youngsters and turned the cans over to the British Relief Fund.

Pre-Holiday Spurt At B'way Theatres

(*Continued from page* 1)

No Nanette." The Christmas stage show will be continued through Friday although "Philadelphia Story" will open Thursday.

"Love Thy Neighbor" proved itself a first class box-office draw in the week before the holiday. With Charlie Barnet's band on the stage, the film drew an estimated $27,000 over the weekend and should finish its first week at the Paramount tonight with a tremendous $65,000. It will be held.

"Chad Hanna" will open at the Roxy Wednesday, one day early, to take advantage of the holiday. "One Night in the Tropics" with a stage show drew an estimated $12,800 for the first four days. In its tenth week at the Astor, "The Great Dictator" grossed an estimated $9,600.

"Ellery Queen, Master Detective" should draw an estimated $5,000 for the week which ends tonight at the Rialto, and "San Francisco Docks" will open there tomorrow. "Dispatch from Reuter's" drew an estimated $1,300 for its last three days of a 10-day run at the Globe. "Here Comes the Navy," which opened at the Globe Saturday, drew an estimated $3,200 over the weekend.

Rites for Underwood Of 20th-Fox Today

(*Continued from page* 1)

in Doctors Hospital following an operation.

Out of respect, the company's scenario offices in New York will be closed all day.

Underwood became Eastern story editor for Fox Film Corp. in 1930. A native of Denver, he began his career at Elitch's Gardens there in 1904 as an actor. Later he followed his profession in California and then came to New York. Leaving the acting side of the business after a few years, he became general manager for Oliver Morosco.

He leaves a widow, Mrs. Frances Slosson Underwood; two sisters, Mrs. Flora Harris and Mrs. John Maider, both of Denver, and two brothers, George E. and Frederick, of Los Angeles.

George Cook Dies

MILWAUKEE, Dec. 23.—George W. Cook, 57, projectionist at the Avalon Theatre is dead here. Cook is survived by his wife, three sons, his father and four sisters and a brother.

Radio Must Aid Defense, Says Trammell

Radio must play its part in national defense by sustaining morale, Niles Trammell, NBC president, declared yesterday in his formal year-end statement. Trammell declared that two things were necessary for morale, the uninterrupted flow of uncensored news and the continuance of entertainment.



Niles Trammell

As part of the news service, Trammell pointed out, radio needs a continuation and expansion of programs with serious music, religion, talks, speeches, the arts and sciences, education and health. He hailed the "American system of broadcasting" as the best medium for the dissemination of news.

The American people can be sure, Trammell said that "American radio will continue to serve our country's interests fully, whole-heartedly and patriotically; that the high ideals of our people will be maintained steadfastly and courageously, and that radio will do its part to foster and sustain them; and that unity of spirit and action will preserve that peace and freedom which is America's tradition, its way of life, its bulwark against aggressors."

Legion Approves 7 Of 8 New Pictures

The National Legion of Decency for the current week has approved seven of eight new films, three for general patronage and four for adults. One was classed as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Flight Command," "Let's Make Music," "Romance of the Rio Grande." Class A-2, Unobjectionable for Adults—"Go West," "Hudson's Bay," "Love Thy Neighbor," "No, No, Nanette." Class B, Objectionable in Part—"Man of the Hour."

Seek to Quiz 'U' Official

Forrester Parant Productions yesterday applied to the N. Y. Supreme Court for an order to direct Peyton Gibson, secretary of Universal Pictures, to testify before trial in connection with the applicant's suit for $98,450 against Marlene Dietrich for alleged violation of a contract to appear in a French film. Universal, in response to a writ of attachment, has stated that it owes no money to Miss Dietrich.

W. E. Dividend Is Set

At a meeting of the directors of the Western Electric Co. yesterday, a dividend of $1.75 per share on its common stock was declared, payable Dec. 30, to stock of record on Dec. 26.

Off the Antenna

A. A. SCHECTER, NBC director of news and special events, made sweeping changes in his staff of foreign correspondents yesterday. Fred Bate, chief of the London bureau, who was injured during an air raid recently, and Max Jordan, head of the continental European staff, are returning to the United States for a rest and conferences. They will be accompanied by William C. Kerker of the Berlin office, who will be assigned to a new post.

Charles Lanius, present Rome correspondent, will replace Kerker in Berlin. Theodore Knauth, will continue as assistant in the Berlin office and take charge during Jordan's absence. David Anderson, Stockholm correspondent, will go to Rome while Jo Denman will replace Anderson in Sweden. Grant Parr becomes the Cairo correspondent, and Richard Tennelly will be the new Tokio correspondent. Edward H. Mackay will replace Joan Livingstone as Shanghai representative. During Bate's absence from London, John McVane will be in charge.

• • •

Program News: *Procter & Gamble yesterday renewed four Monday-through-Friday shows over CBS. They were "Right to Happiness" on 39 stations; "Road of Life," 26 stations; "The Goldbergs," 24 stations; and "Life Can Be Beautiful," 37 stations. . . . Mutual will start its first exchange of programs with South America on Christmas Day when it will pick up a program from Buenos Aires for re-broadcast here and will return the compliment by airing a show to that city on New Year's Eve. . . . General Baking Co. is the second national advertiser to contract with the Quaker network and will sponsor "Breakfast Gang" Mondays through Fridays at 9 A. M. over 15 stations. . . . The cast of the film "Our Town" and Sam Wood, the director, will be heard on CBS at 7:30 P. M. Sunday from Hollywood in connection with the presentation of the Redbook award to Sol Lesser, the producer, by Bette Davis and Douglas Churchill.*

• • •

George McCoy, known as "the bad boy of radio" for having broken most of its rules at one time or another, was signed yesterday by WEAF to do a sidewalk interview from Times Square nightly at 11:30 P.M. He will start on WEAF Jan. 2, discontinuing his present show over WHOM Dec. 30.

• • •

With the Stations: WNEW will have a Christmas party for station employes today. . . . KHJ, Mutual affiliate in Los Angeles, moved yesterday to new studios in Hollywood. . . . WSGN, Birmingham, will move to its new studios in the Hotel Dixie Carlton by Feb. 1, according to Henry P. Johnston, vice-president and general manager. . . . KXOK, St. Louis, today gets its first program from NBC-Blue, "Tom Mix's Straight Shooters," prior to joining the web as a basic outlet Jan. 1.

• • •

Purely Personal: *Anna Neagle who came to New York yesterday will be heard Thursday over Mutual and on Friday over CBS. . . . G. W. Johnstone, chairman of the radio division for the Committee for the Celebration of the President's Birthday, leaves Thursday for the Coast to accompany Keith Morgan, chairman, on a tour of Western key cities. . . . Harold S. Hoover, director of public relations for General Tire & Rubber Co. for the past 10 years, has been named publicity head for Crosley Corp., operators of WLW, WSAI and WLWO, Cincinnati.*

• • •

Children of radio editors will be given a Christmas party by NBC in studio 3-B Saturday. They will witness a performance of "Christmas Eve in Toyland" on Madge Tucker's "Our Barn" and will be entertained by Jolly Bill Steinke as Santa Claus.

10 Million-Foot Gain Reported by Kalmus

HOLLYWOOD, Dec. 23.—Increase of approximately 10,000,000 feet of processed film in 1940 over 1939 has been reported by Dr. Herbert Kalmus, president of Technicolor, Inc.

In 1940, 80,000,000 feet of film was processed, as against 70,000,000 for 1939, he said. Dr. Kalmus declared that business for the last quarter of 1940 was greater than the corresponding period of any previous year, and that the boom would carry over to 1941.

Agfa Ansco Pays Bonus

Agfa Ansco has distributed a Christmas bonus totaling $130,000 to its 3,000 employes. For those in the employ of the organization for more than six months, the bonus has been proportioned according to length of service.

Louisville Ushers Out in I. A. Dispute

LOUISVILLE, Dec. 23.—A strike of some 76 ushers and doormen in five downtown film theatres here today brought into the open an A. F. of L. jurisdictional dispute between the I.A. T.S.E. and the Building Service Employes Union, which called the walkout. Fred J. Dolle, operator of three houses affected, wired William Green, A. F. of L. president, and was told in reply that the I.A.T.S.E. had jurisdiction.

'Thief' Charity Opening

Alexander Korda has cabled instructions that the first day's receipts of his "The Thief of Bagdad" in London, where it opens tomorrow at Leicester Square, shall be turned over to the British Ambulance Corps.

NAB Fights on, BMI Claiming 610 Stations

(*Continued from page* 1)

ernmental programs of a non-commercial nature to use Ascap music without charge and that the society intended to continue this policy after Jan. 1 when other Ascap music will go off the air. He said that Ascap was making this move, in part, to permit stations to continue broadcasting in the public interest.

Sidney M. Kaye, vice-president and general counsel for BMI, declared that virtually every member of the N.A.B., National Independent Broadcasters or Independent Radio Network Affiliates, was now a BMI member. He declared that the 610 stations represented 95 per cent of the dollar volume of the industry and that the networks now control less than 20 per cent of BMI.

Preparing for Deadline

Ascap officials reiterated yesterday that they did not expect any decisive development in consent decree negotiations before Jan. 1. Over the weekend Ascap completed the installation of 34 tape recording machines in branch offices throughout the country. The machines will record every key program on the air after midnight Jan. 1. Two legal witnesses, one a musical expert and the other a court stenographer, will attend each machine. The machines, which cost $51,000, were perfected by Ascap during recent years while policing the air in Montana and Washington where state laws prohibited the society from collecting fees while the laws were being tested in court. If the state laws ultimately are invalidated, Ascap will bring proceedings for damages in those states on the evidence obtained on the machines.

U.S. Supreme Court Takes Florida Case

(*Continued from page* 1)

from other sections of the law which the court held to be unconstitutional.

Ascap, in a brief filed in support of its appeal, held that the statute is in conflict with the Copyright provisions of the Constitution and deprives Ascap of its property without due process of law.

NAB Opens Second Office in New York

National Association of Broadcasters yesterday opened New York headquarters offices at 30 Rockefeller Plaza. These are in addition to the headquarters in Washington. Neville Miller, president, in making the announcement said he planned to spend most of his time here "until further notice." The telephone number, which will not be listed until the next edition of the directory, is CIrcle 5-5965.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 124 NEW YORK, U. S. A., THURSDAY, DECEMBER 26, 1940 TEN CENTS

MPTOA Urges Mediation of Trade Disputes

Asks Concilation Before Arbitration Starts

An appeal to regional exhibitor organizations to take the initiative in providing conciliation machinery for the mediation of industry disputes, before such disputes progress to the arbitration stage, was made by Ed Kuykendall, M.P.T.O.A. president, in an organizational bulletin sent members on Tuesday.

The bulletin asserts that, while M.P.T.O.A. believes in the principle of arbitration, it regards the complete omission from the consent decree of any provision for conciliation as "a grave mistake."

"Nevertheless," Kuydendall says, "there is nothing to prevent local efforts to conciliate and mediate trade disputes before they reach arbitration or litigation. Local exhibitor associations may well consider taking the initiative in this."

The M.P.T.O.A. reveals that it will try to have the Federal revenue act amended in the next Congress for a lower tax on "student tickets." There are 12,000,000 young persons eligible for such cut-rate admissions, which under the present law are subject to the adult tax.

Kuykendall points out to the exhibitors that continued protests against the decree are useless, "since no modification of the decree is now likely by

(Continued on page 4)

U. S. Court Rules Ascap Is Illegal

TACOMA, Dec. 25.—A Federal statutory court here yesterday ruled Ascap "an illegal monopoly in restraint of trade," in upholding the validity of the state's anti-Ascap law passed in 1937. The decision, on Ascap's plea for an injunction, was unanimous. The court said: "The fact is Ascap has acquired power to fix prices, and we think that is sufficient."

Skouras Employes Help Greek Drive

Employes of the local Skouras office and of Metropolitan Playhouses on Tuesday presented to George Skouras $1,200 raised among themselves by voluntary subscription for the Greek War Relief Fund.

AAA Will Move to Center on Jan. 15

The American Arbitration Association will move to Rockefeller Center from 8 West 40th Street on Jan. 15, in order to obtain the additional space required for handling motion picture arbitration under the consent decree and to be more conveniently located for film industry members.

The local arbitration board for the New York district will be established in the new headquarters and, ultimately, the national appeals board for the industry will be established in adjacent quarters in the Center.

The A.A.A. has leased the entire eighth floor and part of the ninth in the U. S. Rubber Bldg., 1230 Sixth Ave. Its provision for the New York local board's space makes that tribunal the first to be established of the 31 boards contemplated for the industry.

In addition to being the headquarters of the A.A.A., it will be the administrative center of the industry's arbitration system, Lucius R. Eastman, A.A.A. board chairman, pointed out. The quarters will provide five hearing rooms, which will greatly facilitate the handling of a much larger number of cases by the association. Its work has not only been increased by the addition of film arbitration but by new industrial disputes

(Continued on page 4)

CBS and NBC Call New Short Wave Highlight of Year

Both CBS and NBC rated the progress in international short wave broadcasting as outstanding in the field of radio progress during the past year. News and special events also loomed large in the appraisals found in the year end reports.

William S. Paley, CBS president, in his statement pointed out that 11,000,000 new receivers had been sold in 1940 as compared with 9,000,000 in 1939. "Thus, at the beginning of the new year, there are about 52,000,000 radio sets in use throughout the nation. This growth puts a heavy responsibility on radio—a responsibility which we are confident radio will earnestly seek to discharge," Paley declared.

Important Developments

In the short wave division CBS, of course, pointed to its new network with 18 of the 20 Latin American republics, and the construction of two new 50,000-watt transmitters. As for NBC, it finished its first year of commercial short wave on Dec. 1. During the past year 85 per cent of short wave programs were specially prepared for international broadcast with only 15 per cent taken off the regular networks. Eleven companies sponsored programs to Latin America during the year. It was pointed out that there are an estimated 4,021,470 radio families in Latin America and that an estimated 2,462,110 have sets capable of receiving short wave programs.

The news and special events job performed by the networks was highlighted by the war, convention and election results coverage. CBS had 2,-

(Continued on page 8)

Ascap Ponders Suit Against Radio Webs

May Charge Boycott and Monopoly Practices

Ascap is considering plans to initiate litigation against the networks in U. S. District Court here shortly after the first of the year, basing its action on exclusive use of BMI music by the networks after Jan. 1, it was learned on Tuesday.

Schwartz & Frohlich, counsel for Ascap, stated they have been authorized to prepare a complaint on any of several allegations of exclusion of Ascap music, but that no decision had been made yet as to a definite form of procedure.

Concurrently, it was reported that Washington authorities were considering the advisability of an anti-trust action against the networks and BMI, on the theory that the latter, after Jan. 1, will constitute as much of a monopoly of music performance on the air as Ascap was when the Government brought its anti-trust suit against the society in 1935.

Herman Finkelstein, of counsel for Ascap, said that it was unlikely that the society would file suit until some time after the full effects on Ascap operations of the networks' ban had been determined. It was intimated

(Continued on page 8)

Mexico Bans Nazi Theatre Outbursts

MEXICO CITY, Dec. 25.—Demonstrations by Nazists and Hitler sympathizers during the exhibitions of pictures they disapprove are strictly out from now on, the police announce.

Such disturbers will be promptly arrested, for the authorites declare they intend to protect the interests of all who pay to see films. The latest disturbances of this nature were during the screenings of "The World in Flames" at the Cine Orfeon, a large local subsequent run theatre. The disturbers yelled, stamped their feet and spread itch powder. Police are on guard at the Orfeon.

Other pictures the Nazist disturbers have attacked here were "Pastor Hall," exhibited in Mexico as "The Martyr," and "The Man I Married." No arrests were made in connection with these outrages.

Indiana Exhibitors Sue to Save $100,000 a Year in Tax Payments

Indianapolis, Dec. 25.—Associated Theatre Owners of Indiana, on behalf of about a score of exhibitors and circuits, yesterday filed a test suit asking that the Indiana state gross income tax division be required to reimburse more than 60 theatres for an alleged "double tax."

Jacob Weiss, attorney for the exhibitors' group, asserts that theatre owners in Indiana are paying $100,000 a year which they should not be assessed.

The suit claims that on receipts from percentage pictures both the distributor and the theatre are paying a gross tax on the same box-office admissions, while under the law the tax should be assessed only against one.

It has been agreed between the A.T.O.I. and the State Attorney General's office that whatever decison is given in the case will go to the state supreme court for a final settlement in order that a definite ruling may be established.

Personal Mention

CHARLES SKOURAS arrived from Los Angeles Tuesday to spend the holidays here.

•

HELEN RITA COMERFORD, daughter of MRS. MICHAEL B. COMERFORD and the late general manager of Comerford Theatres, Inc., Wilkes Barre, Pa., has announced her engagement to FRANCIS F. EGAN of Pittston, Pa.

•

JOSEPH SHEA, former 20th Century-Fox and United Artists publicist, will take over publicity duties for TAY GARNETT, director, starting today.

•

JONAS ROSENFIELD, JR., formerly with the Warner advertising department, is now handling advertising copy for Walt Disney Productions.

•

VENUS DIPSON, daughter of NIKITAS D. DIPSON of Batavia, N. Y., circuit head, is receptionist at the headquarters of the Greek War Relief Fund Committee here.

•

E. H. ROLLSTON, operator of the Strand, Seymour, Conn., has returned home after an operation at Ansonia Hospital.

•

PETER DEFAZIO, Warner salesman in New Haven, and his wife are spending the Christmas holiday in Pittsburgh.

•

PETER J. LEBARBERA of the home office of the Copyright Protection Bureau has become engaged to EMMA PRISCO, and LEWIS HILTON of the same office is engaged to EDITH LEMLICH.

•

ED DUBINSKY DURWOOD, head of Dubinsky Bros. Circuit, Kansas City, and the Durwood family are at Hollywood Beach, Fla., for the holidays.

Two New Plays Are Set for Rochester

ROCHESTER, Dec. 25.—Several attractions are scheduled here. Gladys George in "Lady in Waiting" is due at the Auditorium Theatre Jan. 2, with Elliott Nugent in "The Male Animal" to follow Jan. 13. Alec Templeton will appear with the Civic Orchestra at the Eastman Jan. 5.

Wometco Gives Bonus

MIAMI BEACH, Fla., Dec. 25.—Wometco Theatres yesterday gave employes who had been with the company for one year or more a Christmas bonus of one week's salary. Sidney Meyer and Mitchell Wolfson, who own the circuit, declared that more than 200 employes would receive the bonus, which would be in excess of $5,000 in all.

Switch to Stage Policy

PITTSBURGH, Dec. 25.—After a policy of films only for six weeks, the Stanley will return to stage shows Jan. 10 with Ted Weems' band.

Bitter Labor-Producer War Hits Mexican Production

MEXICO CITY, Dec. 25.—The wordy war between the Association of Producers and Distributors of Mexican Pictures and Section 2 (producers) of the National Cinematographic Workers' Union, which began with an open letter of the Association to Enrique Solis, secretary general of the section, in which he was accused of blocking production, continues bitterly.

The producers, however, do not seem to think that 1941 will be all black for them or the industry. Two prominent producers, Jesus Grovas, president of the Association, and Miguel Contreras Torres, plan to visit key Central and South American cities to establish exchanges. These trips, which are to start in January, will take both producers as far south as Buenos Aires.

See New Markets

Grovas and Torres see a big chance for Mexican pictures next year in Central and South America.

Solis is vigorously defended in an open letter the union addressed to President Manuel Avila Camacho and public opinion. The true reason for the failure of the domestic picture industry, this letter declared, is "unscrupulous producers."

The Association came back at these accusations with another open letter in which it named 14 pictures, ready for production with the start of the year, which it intends to suspend if Solis persists in the attitude it attributes to him. This letter asserts that it has nothing against the union nor labor and that its members are not enemies of the Government and reiterate its charges against Solis, contending again that he is responsible for the present condition of the Mexican picture industry.

"These men," the union's letter declared, "badly interpreted the patriotic statements President Avila Camacho made in his inaugural address. They seek to throw the blame upon this union and particularly Citizen Enrique Solis for the backwardness in the production of domestic pictures.

"It is these persons who are killing what had promise of being Mexico's first industry.

"A demonstration of the workers' willingness to cooperate with the producers was the union's allowing the producers to pick the workers for production, though that was contrary to the true mission of syndical organization. Furthermore, the union allowed the producers credits in the form of advancing 50 per cent of the workers' wages, credits that were so badly used that the union had to withdraw them.

Confidence in President

"Instead of obstructing the industry, as the Association charges, the union is striving to remove all obstructions from the making of pictures. We are confident that President Avila Camacho will not destroy the workers' organization of Mexico, as the producers seem to want.

"We are puzzled about the suspension of picture production that the association threatens. Just what pictures are to be suspended? That is an audacious threat, for if they suspend the making of the three pictures that are already being made they will run afoul of the Federal labor law and the workers will most certainly claim the fullest compensation for this violation of their labor contracts."

Broidy Sets Deals On Monogram Films

HOLLYWOOD, Dec. 25.—Monogram has reported the following circuit deals set by Samuel Broidy, general sales manager:

Publix-Richards, Nace, Los Angeles; Warners, Albany and Buffalo; Comerford, Philadelphia; Wilby, Atlanta; M. Switow and Sons, Indianapolis; G. C. S. Circuit, Chicago; Fox West Coast, Los Angeles; Pioneer Theatres, Des Moines; Reinheimer Circuit, Chicago; Interstate, Dallas; Magazzus, Philadelphia; Affiliated Theatres, Indianapolis; Snider, Boston; Gibraltar Enterprises, Denver.

Billposters Head Refutes Charges

PITTSBURGH, Dec. 25.—President Leo Abernathy of the Internationaal Alliance of Billposters, Billers and Distributors has denied charges brought by a Chicago local that he and other union officers had tried to take over their funds and threatened bodily harm.

"What happened with that local is that the I.A.B.B.D. revoked its charter a couple months ago, for not paying a per capita tax for the past 10 months or so, and ordered a new union organized in Chicago under Harry Gunderson," Abernathy said.

Richmond Unions Elect '41 Officers

RICHMOND, Dec. 25.—The operators and stagehands have elected their officers for the coming year. Harry Jarvis was reelected president of Local 370, operators; John Doherty, vice-president; Addie Stewart, recording secretary; John Leary, business agent; George Crozier, treasurer, and John Carnell, sergeant at arms.

Earl Clator was elected president of the stagehands; L. C. Ratliff, vice-president; Harry Jarvis, business agent; Stewart Atkinson, recording secretary; J. P. Leary, financial secretary; Claude Wilson, treasurer and Frank Matthews, sergeant-at-arms.

Hold Ruttenberg Rites

Mrs. Celia Ruttenberg, mother of Mrs. Augusta Jackter, wife of Rube Jackter, Columbia assistant sales manager, died at Beth Israel Hospital here on Monday following an illness of several weeks. Funeral services were held Tuesday. In addition to her daughter, she is survived by three sons, Louis, Irving and Morris.

Cox Manager for Quimby

PORT WAYNE, Ind., Dec. 25.—Frank Reimer has resigned as general manager of the Quimby circuit here and has been succeeded by Harvey Cox.

Newsreel Parade

A CHRISTMAS party in Washington for the children of foreign diplomats, airplane workers in California donating a bomber to England and Admiral Leahy sailing for Vichy are just a few of important events covered in the new issues. The contents:

MOVIETONE NEWS, No. 31—Airplane workers donate bomber to British. New York hospital houses refugee children. Army troops ski in Minnesota. Silver fox round-up in Michigan. Sailors learn the Conga. Shoe fashions. Halifax succeeds Lothian; Eden replaces Halifax. Seaman receives Navy Cross. Gene Tunney in the Naval Reserve. Admiral Leahy sails for Vichy. Tropical Park opens. Bathing beauties in Florida.

NEWS OF THE DAY, No. 229—Churchill addresses Italians. Eden named English Foreign Secretary. Leahy leaves for Vichy. Airplane workers give bomber to England. Star Spangled Ball in New York. Hair Fashions. Tropical Park opens.

PARAMOUNT NEWS, No. 34—Anti-bomb device displayed in Pennsylvania. Sherwood speaks at French rally. Army hostesses in Mississippi. Father Flanagan at boys club dinner. Princess Juliana ends visit here. Electoral College casts official votes. Willkie in New York. Liner for South America route launched here. Children of foreign diplomats in Washington. Football executives draft college stars. John Kimbough and Bill Slater in football chat.

RKO PATHE NEWS, No. 34—Children of diplomats in Washington. Leahy sails for Vichy. Girls attend glamor school. Refugees arrive. Tropical Park opens. Kelly Field air students graduate.

UNIVERSAL NEWSREEL, No. 939—Graduations at Kelly Field. Bomber donated to England. Test new plane with glass wings. Bomb net in Pennsylvania. Greeks parade in Chicago. Fur-equipped troops in Seattle. Shoe fashions. Tropical Park opens. International Christmas party in Washington.

Appeal Tax Ruling On Omaha Theatres

OMAHA, Dec. 25.—County officials here have appealed to the Nebraska State Supreme Court a case involving tax valuation of Ralph D. Goldberg's two downtown theatres, the 1,200-seat Town and the 800-seat State, subsequent run houses.

The county originally assessed the Town at $50,000 and the State at $85,000. Goldberg appealed to the district court, which reduced the valuations to $35,000 and $50,500, respectively. The county officials are appealing this decision.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.



ERROL FLYNN
and OLIVIA
DeHAVILLAND
in "SANTA FE TRAIL" with
RAYMOND MASSEY • RONALD REAGAN • ALAN HALE
Van Heflin • Gene Reynolds • Henry O'Neill
Guinn "Big Boy" Williams • Directed by
MICHAEL CURTIZ
Original Screen Play by Robert Buckner • Music by Max Steiner

PAVING THE WAY FOR WARNERS' TOP YEAR OF ACTION!

40 New Films Shooting; High In Xmas Week

HOLLYWOOD, Dec. 25.—Forty pictures were before the cameras this week, a near-record for activity during Christmas week, as 10 finished and nine started. Fourteen were being prepared, and 61 were being edited.

The tally by studios:

Columbia

In Work: "Penny Serenade," "The Return of Boston Blackie."
Started: "The Lone Wolf Takes a Chance."

Globe

In Work: "Pot O' Gold."

Lesser-Lubitsch

In Work: "That Uncertain Feeling."

M-G-M

Finished: "The Ziegfeld Girl," "Men of Boys Town," "The Bad Man," "Fools Rush In."
In Work: "Billy the Kid."
Started: "Rage in Heaven."

Monogram

Finished: "You're Out of Luck."
Started: "Prairie Schooldays."

Producers Releasing

In Work: "Secret Evidence," "The Lone Rider Galloping to Glory," "It Happened to Me."
In Work: "I Wanted Wings," "The Road to Zanzibar," "New York Town," "Las Vegas Nights," "Pirates on Horseback."

RKO

In Work: "They Met in Argentina," "Scattergood Baines."
Started: "The Devil and Miss Jones," "Show Business."

Republic

Finished: "Ridin' on a Rainbow."
In Work: "Arkansaw Judge."
Started: "Petticoat Politics."

Roach

In Work: "Topper Returns."
Started: "Broadway Limited."

20th Century-Fox

Finished: "Murder Among Friends," "Sleepers West."
In Work: "The Road to Rio," "Tobacco Road," "Uncensored," "The Outlaw."
Started: "Ride on, Vaquero," untitled Charlie Chan.

Universal

Finished: "The Mysterious Dr. R."
In Work: "Buck Privates," "Back Street," "Nice Girl," "Six Lessons from Madame La Zonga."

Warners

Finished: "Strawberry Blonde."
In Work: "Her Great Lie," "The Sea Wolf," "Knockout," "Stuff of Heroes," "She Stayed Kissed," "Murder on the Second Floor."

Take Rhineback House

ALBANY, Dec. 25. — The Starr, Rhinebeck, N. Y. has been taken over by Eisenberg and Cohen, who already operate a theatre in nearby Red Hook. The deal was made with Frank Asher.

Hughes Takes Direction Of Picture for 20th-Fox

Hollywood, Dec. 25

AFTER several days of indecision and rehearsal, HOWARD HUGHES, producer, has taken over directorial duties on his "The Outlaw," 20th Century-Fox release, replacing HOWARD HAWKS, with whom he parted amicably. HUGHES also borrowed GREGG TOLAND, cinematographer, from SAMUEL GOLDWYN to replace LUCIEN BALLARD. JACK BEUTEL and JANE RUSSELL, both unknowns, make their film debuts in the top roles, supported by THOMAS MITCHELL and WALTER HUSTON.

• •

ROBERT YOUNG and LARAINE DAY draw the leads in M-G-M's "The Trial of Mary Dugan," BAYARD VEILLER stage play. NORMAN Z. MCLEOD will direct and EDWIN KNOPF produce. . . . Republic is planning to dedicate its new stage to MABEL NORMAND at a party Friday with Mack Sennett as officiator. The studio occupies the former site of the Mack Sennett lot, where the actress made many comedies . . . . LARRY DARMOUR has borrowed JAMES HOGAN from Paramount to direct the next Ellery Queen story.

• •

Paramount may team Brian Donlevy, Akim Tamiroff and Preston Foster to play in "Buy Me That Town," Sol C. Siegel production of an original story by Harry Gourfain, Murray Boltinos and Arthur Bracken. Gordon Kahn is writing the script. . . . Jean Rogers and Sheila Ryan have been cast in an untitled Charlie Chan picture at 20th Century-Fox.

• •

Warners has retitled "Jinx Woman" as "Singapore." . . . Producers DAVID L. LOEW and ALBERT LEWIN will share the contract of GLENN FORD with Columbia, as the result of his work in their "So Ends the Night," United Artists release.

• •

Twentieth Century-Fox has purchased four story properties, three of them for producer LOU OSTROW. For him are: "I Won't Dance," original by HARRY SAUBER of a film star who wants to do dramatic roles instead of dancing; "We Go Fast," *Saturday Evening Post* story by DOUG WELCH of motorcycle officers, and "Green Entry," novel by S. RUTH HOWARD which has a horse show background. The other is "Miami," story by STEPHEN POWYS and which will be made in a musical comedy starring BETTY GRABLE. WALTER LANG will direct, GEORGE SEATON will do the script. LEO ROBIN and RALPH RAINGER have been assigned to write the musical numbers.

• •

"Four Fathers" will be the next in Warners' Lemp Family series. . . . LUCILE WATSON, stage star, goes into M-G-M's "Rage in Heaven." . . . Columbia has purchased "Obituary," contemporary newspaper story by JERRY SACKHEIM. . . . The studio has set ALEXANDER HALL to direct "Bedtime Story" which B. P. SCHULBERG will produce. . . . MARY HOWARD draws the feminine lead in M-G-M's "Billy the Kid," opposite ROBERT TAYLOR. She replaces MAUREEN O'SULLIVAN, who left to join her husband, JOHN FARROW, in Canada. . . . KETTI FRINGS, author of "Hold Back the Dawn," has been signed by ALEXANDER KORDA to work on the script of "Manon Lescaut," MERLE OBERON vehicle.

• •

Priscilla Lane and Ronald Reagan will be co-starred by Warners in "Miss Wheelright Discovers America," with Curtis Bernhardt directing Jerry Wald and Richard Macaulay's script of Leonard Spigelgass' original. . . . William Holden will play a starring role in "Texas," Columbia picture formerly called "Vigilantes." Stuart Heisler will direct. . . . Walter Abel has been cast for a top role in Paramount's "Skylark." . . . His suspension lifted by 20th Century-Fox, George Sanders has been loaned to M-G-M for "Rage in Heaven."

• •

TOM TYLER has been set by Republic to play the title role of "Captain Marvel," serial, which WILLIAM WHITNEY and JACK ENGLISH will direct under supervision of H. S. BROWN, JR. FRANK COGHLAN, JR., JOHN DAVIDSON and BILLY BENEDICT are also in the cast. . . . EARL BALDWIN, writer at Warners for 11 years, and now on loan to Columbia, has terminated his Burbank contract and upon completion of his Columbia duties, goes to M-G-M to write the script for a musical.

• •

VINCENT SHERMAN, because of his direction of Warners' "Flight from Destiny," has been handed the assignment on "One Hour of Glory," MARY ROBERTS RINEHART story starring THOMAS MITCHELL and GERALDINE FITZGERALD. . . . Columbia has purchased HARRY SEGAL's play, "Heaven Can Wait," from stage producer JED HARRIS . . . . CARY GRANT is sought for the lead. . . . JAMES HILTON is writing the script of A. P. HERBERT's "Water Gypsies," which ERICH POMMER will produce for RKO.

AAA Will Move to Center on Jan. 15

(*Continued from page* 1)

arising from national defense contracts.

Van Vechten Veeder, chairman of the national appeals board, has established temporary quarters at the Bar Association Building, where he will remain for the next two or three months. Ultimately, he plans to establish appeal board headquarters in Rockefeller Center, although not in the A.A.A. quarters. His two associates on the appeals board will be named by Federal Judge Henry W. Goddard early next month, it is believed.

MPTOA Urges Mediation of Trade Disputes

(*Continued from page* 1)

court action or otherwise until after it goes into actual operation."

He points out that the decree nowhere asks for exhibitor "cooperation" or participation in the administrations of the decree."

"Talk of exhibitor cooperation 'to make it work' and to 'give it a fair trial' is more or less nonsense," he says. "The new methods and restrictions on selling are to be undertaken entirely by distributors, and arbitration entirely by the American Arbitration Association."

Music Fight of Interest

The bulletin refers briefly to the current rate war between Ascap and the radio networks, pointing out that while exhibitors are not directly involved in the controversy, its outcome is of considerable "interest and importance" to them. He expresses the hope that it may result in producers being permitted to buy the performing rights to music, which could then be included in the motion picture exhibition license, eliminating the Ascap seat tax on theatres.

Regional exhibitor organizations are asked to study the problem of making theatre customers of the estimated 32,000,000 Americans who do not patronize motion pictures, although able to do so.

Information on the subject, including the results of any experiments which may be tried, should be exchanged among exhibitors, the bulletin says. It suggests that different advertising approaches than those now in vogue in the industry might be used to some advantage in winning the new patrons.

Warns of Legislation

Kuykendall warns regional organizations of a flood of anticipated taxation and regulatory legislation in preparation for introduction in state legislatures next year. The organizations are advised to strengthen their lines and present a unanimous front against unfair measures of either kind.

The bulletin asks the cooperation of exhibitors on national defense plans for the industry.

Open Columbus House

COLUMBUS, O., Dec. 25.—The new 900-seat Boulevard, the seventh local neighborhood house in the McDonald Theatre Enterprise Circuit, has opened. C. G. Littler is manager.

'Sister Eileen' Will Open Here Tonight

Max Gordon will present a new comedy by Joseph Fields and Jerome Chodorov, "My Sister Eileen," tonight at the Biltmore. The play is based on stories by Ruth McKenney and was staged by George S. Kaufman. The cast includes Jo Ann Sayers, Bruce McFarlene, Eddie Afton, Richard Quine and Joan Tomkins.

'July' Draws Good $18,000, Philadelphia

PHILADELPHIA, Dec. 25.—Christmas shopping took all the play from the film houses. Best comparative business was "Christmas in July," with Woody Herman's orchestra on the stage, giving the Earle $18,000.

Estimated takings for the week ended Dec. 18-20:

"The Long Voyage Home" (U. A.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $6,000. (Average, $9,000)
"Bitter Sweet" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 6 days, 2nd run, 2nd week. Gross: $3,000. (Average, $2,600)
"No, No, Nanette" (RKO)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $9,300. (Average, $13,000)
"Christmas in July" (Para.)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including Woody Herman's orchestra, Three Arnolds, Bob Dupont, Kitty Lane, Steady Nelson, Frankie Carlson, Saxie Mansfield, Neal Reid and The Woodchoppers. Gross: $18,000. (Average, $14,000)
"Murder Over New York" (20th-Fox)
FAY'S — (2,190) (15c-29c-35c-46c-57c) 7 days with vaudeville including Della Carroll, Capt. William Meyers & Yoyo, Clyde Hager, Hickey Bros. & Alice, Lewis & Van and the Roxyettes. Gross: $6,000. (Average, $6,900)
"Seven Sinners" (Univ.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days Gross: $12,700. (Average, $13,000)
"The Letter" (W. B.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $5,300. (Average, $3,000)
"Tin Pan Alley" (20th-Fox)
KEITH'S — (2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $5,100. (Average, $4,500)
"Go West" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $10,600. (Average, $14,000)
"South of Suez" (W. B.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $5,100. (Average, $4,500)

'Sinners' $15,000 As Detriot Slumps

DETROIT, Dec. 25. — Holiday shopping kept business down in the theatres. The Fox reported an average $15,000 with "Seven Sinners" and "Jennie."

Estimated takings for the week ending Dec. 19:

"Tin Pan Alley" (20th-Fox)
"Give Us Wings" (Univ.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $4,500. (Average, $5,500)
"Third Finger Left Hand" (M-G-M)
"Spring Parade" (Univ.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,000. (Average, $7,000)
"Seven Sinners" (Univ.)
"Jennie" (20th-Fox)
FOX—(5,000) (20c-55c-65c) 7 days. Gross, $15,000. (Average, $15,000)
"The Letter" (W. B.)
"Captain Caution" (U. A.)
MICHIGAN — (4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $11,000. (Average, $12,000)
"North West Mounted Police" (Para.)
"A Night at Earl Carroll's" (Para.)
PALMS—(3,000) (25c-39c-44c-55c) 7 days, 2nd week. Gross: $6,000. (Average, $7,000)
"Go West" (M-G-M)
"Dr. Kildare's Crisis" (M-G-M)
UNITED ARTISTS—(2,000) (20c-39c-44c-55c) 7 days. Gross: $7,500. (Average, $10,000)

Newsreel Opens in Feb.

CLEVELAND, Dec. 25. — Cleveland's first newsreel theatre, the Telenews, is scheduled to open the first week of February. It will seat 487 and include a news broadcasting room and recreation rooms.

Critics' Quotes . . .

"GO WEST" (M-G-M)

It's a story of cowboys and Indians but mad enough to suit the trio's talents. . . . The audience laughed itself sick.—*Laura Lee, Philadelphia Bulletin.*

"Go West" stacks up favorably with its predecessors. . . . The Marx fans will find enough tricks, new and old, to keep them entertained.—*Henry T. Murdock, Philadelphia Ledger.*

The Marx Brothers in "Go West" provide a laugh a minute. . . . There should be a clamor for more westerns like this one.—*Dorothy Guinan, Philadelphia Daily News.*

"Go West" isn't quite the mad, merry lark it should have been.—*Mildred Martin, Philadelphia Inquirer.*

Those Marx Brothers are loose again, and its time for their fans to start laughing. . . . "Go West" is up to and often above the Marx par. . . . Wins more laughs via comedy action than dialogue.—*Elsie Finn, Philadelphia Record.*

Not the most consistently entertaining of the Marxian screen japes, but is funny enough, off and on, to satisfy the most critical of their fans.—*Newsweek.*

The Marx Lunantics are only faintly marred by a barely perceptible thread of plot. . . . Groucho, Harpo and Chico Marx are screamingly funny to their admirers, idiotic to others . . . for orthodox Marxians it should prove the slap-happiest occasion since "A Night at the Opera."—*Time.*

"CHRISTMAS IN JULY" (Paramount)

If he isn't careful, Preston Sturges is going to be responsible for one of those Hollywood trends. . . . This looks like another "click." . . . Romance, comedy and satire are skilfully blended.—*Norman Clark, Baltimore News Post.*

Preston Sturges in "Christmas in July" has been allowed to tell himself, as director, what to do with his own script, and the results are felicitous. He has contrived to make his hokum enormously captivating and amusing.—*Gilbert Kanour, Baltimore Evening Sun.*

A notable little film. . . . This is not a big picture, or a great one. But very good fun.—*Garrett D. Byrnes, Providence Journal.*

An entertainment spiced with originality and some satire. It stands out from contemporary screen romances and can be recommended heartily to diversion seekers. It is more fun than Christmas shopping.—*Donald Kirkley, Baltimore Sun.*

Comedy of the human kind . . . Dick Powell gives his best performance in a "straight" role.—*Philadelphia Inquirer.*

Director Preston Sturges, who scored a surprise hit in "The Great McGinty," has done it again with "Christmas in July." The same imagination and fresh approach, the same gentle fun-poking and sharper satire, permeate this film as it did the other.—*Elsie Finn, Philadelphia Record.*

"TIN PAN ALLEY" (20th Century-Fox)

Sing yourself a tune from "Tin Pan Alley" and you'll have a trip down melody lane that will have you hauling out the old phonograph albums.—*Joyce Dana, Boston Record.*

There is a nostalgic charm about the many old tunes sung by Alice Faye and Betty Grable.—*Prunella Hall, Boston Post.*

The old and new are welded expertly and fused in this wise and witty fictionalization of the imaginary sector off Broadway where tunes are tinkered.—*C. J. Bulliet, Chicago Daily News.*

'Peppers' and Show $8,600 in Milwaukee

MILWAUKEE, Dec. 25.—"Five Little Peppers in Trouble" and Singer's Midgets on the stage gave the Riverside an $8,600 take. "The Philadelphia Story," in the second week at Fox's Wisconsin and the first week at the Strand, drew $8,200 at both houses.

Estimated takings for the week ending Dec. 19:

"Arise, My Love" (Para.)
"Cherokee Strip" (Para.)
PALACE—(2,400) (30c-40c-55c) 9 days. Gross: $5,400. (Average, $4,000)
"Five Little Peppers in Trouble" (Col.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Singer's Midgets. Gross: $8,600. (Average, $6,500)
"The Philadelphia Story" (M-G-M)
"Dr. Kildare's Crisis" (M-G-M)
STRAND—(1,400) (44c-65c) 7 days. Gross: $2,200. (Average, $1,500)
"The Long Voyage Home" (U. A.)
"Lady With Red Hair" (W. B.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $5,500. (Average, $4,500)
"The Philadelphia Story" (M-G-M)
"Dr. Kildare's Crisis" (M-G-M)
WISCONSIN—(3,200) (44c-65c) 7 days, 2nd week. Gross: $6,000. (Average, $5,500)

'Stranger' and Show Get $13,000, Buffalo

BUFFALO, Dec. 25.—"The Stranger on the Third Floor" plus Stan Laurel and Oliver Hardy in person at the Twentieth Century took $13,000. "Go West" and "Dr. Kildare's Crisis" drew $8,300 at the Great Lakes.

Estimated takings for the week ending Dec. 21:

"Little Nellie Kelly" (M-G-M)
BUFFALO—(3,489) (35c-40c-55c) 7 days. Clyde McCoy and his Sugar Blues Orchestra on stage, with the Three Bennett Sisters and Dick Lee, the Pitchmen, The Colstons, Bob Evans and Ed Loomis. Gross: $12,200. (Average, $12,000)
"Go West" (M-G-M)
"Dr. Kildare's Crisis" (M-G-M)
GREAT LAKES—(3,000) (35c-55c) 7 days. Gross: $8,300. (Average, $7,500)
"The Letter" (W. B.)
"Hullabaloo" (M-G-M)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $5,200. (Average, $6,800)
"The Stranger on the Third Floor" (RKO)
TWENTIETH CENTURY—(3,000) (30c-35c-55c) 7 days. Stan Laurel and Oliver Hardy in revue with Lew Parker, Cass, Owen and Topsy; Maxine Conrad, Darlene Garner, James C. Morton, Sid Gold and the Danny Dare Girls. Gross: $13,000. (Average, $7,500)
"Next Time We Love" (Univ.)
"Sandy Gets Her Man" (Univ.)
LAFAYETTE—(3,000) (30c-40c) 7 days. Gross: $4,200. (Average, $6,300)

Los Angeles Gross Hit by Shopping, Flu

LOS ANGELES, Dec. 25.—A combination of the influenza epidemic and Christmas shopping was too much for grosses. "Escape," with $5,000 in the third week at the 4 Star, was the only picture to do more than average business.

Estimated takings for the week ending Dec. 18:

"Go West" (M-G-M)
"Dulcy" (M-G-M)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $11,000. (Average, $12,500)
"Escape" (M-G-M)
4 STAR—(900) (44c-55c) 7 days, 3rd week. Gross: $5,000. (Average, $3,250)
"Escape to Glory" (Col.)
"The Bank Dick" (Univ.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 6 days. Gross: $5,500. (Average, $6,500)
"Go West" (M-G-M)
"Dulcy" (M-G-M)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $14,000. (Average, $14,000)
"Escape to Glory" (Col.)
"The Bank Dick" (Univ.)
PANTAGES—(3,000) (33c-44c-55c-75c) 6 days. Gross: $5,200. (Average, $7,000)
"Christmas in July" (Para.)
"A Night at Earl Carroll's" (Para.)
PARAMOUNT—(3,595) (44c-55c-75c) 7 days. Stage: Pinky Tomlin Jamboree; Johnny Richards Orch. Gross: $10,000. (Average, $18,000)
"Seven Sinners" (Univ.)
"Always a Bride" (W. B.)
WARNER BROS. (Hollywood)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $8,300. (Average, $14,000)
"Seven Sinners" (Univ.)
"Always a Bride" (W. B.)
WARNER BROS. (Downtown)—(3,400) (33c-44c-55c-75c) 7 days. Gross: $8,500. (Average, $12,000)

Providence Slow; 'Bank Dick' $6,000

PROVIDENCE, Dec. 25.—Christmas shopping caused generally low grosses. "The Bank Dick" and "Dark Streets of Cairo" gave the RKO Albee $6,000.

Estimated takings for the week ending Dec. 18-19:

"The Bank Dick" (Univ.)
"Dark Street of Cairo" (Univ.)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $6,000. (Average, $6,000)
"The Philadelphia Story" (M-G-M)
"Gallant Sons" (M-G-M)
LOEW'S STATE—(3,232) (35c-50c-65c) 7 days, 2nd week. Gross: $10,000. (Average, $11,000)
"Trail of the Vigilantes" (Univ.)
"Jennie" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $4,700. (Average, $7,000)
"Christmas in July" (Para.)
"Meet the Missus" (Rep.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $4,000. (Average, $6,000)
"Laughing at Danger" (Mono.)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with Tommy Tucker Orchestra, Mitzi Green, Fred Sanborn, Barr & Estes, and May, June and Penny. Gross: $2,800. (Average, $5,000)
"Here Comes the Navy" (W. B.)
"Tugboat Annie Sails Again" (W. B.)
CARLTON—(1,526) (28c-39c-50c) 6 days, 2nd week. Gross: $3,500. (Average, $3,500)
"Texas Terrors" (Rep.)
"She Couldn't Say No" (W. B.)
FAY'S—(1,800) (15c-28c-39c) 7 days. Gross: $2,500. (Average, $2,500)
"Dispatch From Reuters" (W. B.) (3 days)
"Queen of Destiny" (RKO) (3 days)
"Arise, My Love" (Para.) (4 days)
"Pastor Hall" (U. A.) (4 days)
EMPIRE—(2,200) (20c-28c) 2nd run. Gross: $1,000. (Average, $1,700)

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Nov. 29	Ellery Queen, Master Detective (D) *Ralph Bellamy*	Dr. Kildare's Crisis (D) 115 *Lew Ayres L. Barrymore*	West of Pinto Basin (O) *Ray Corrigan Terhune & King*		Who Killed Aunt Maggie? *Wendy Barrie*	Remedy for Riches (D) 113 *Jean Hersholt Dorothy Lovett*	Tin Pan Alley (M) 120 *Alice Faye Betty Grable*	Blackout (D) *Conrad Veidt Valorie Hobson*	The Bank Dick (C) *W. C. Fields Una Merkel*	Lady With Red Hair (D) *Miriam Hopkins Richard Ainley*
Dec. 6	Thundering Frontier (O) *Chas. Starrett Iris Meredith*	Go West (M) 114 *Marx Brothers Diana Lewis*		Night at Earl Carroll's (C) *Ken Murray Lillian Cornell*	Friendly Neighbors (C) *Weaver Bros. Elviry*	The Fargo Kid (O) 182 *Tim Holt*	Charter Pilot (D) 118 *Lloyd Nolan Lynn Bari*		Margie (C) 5026 *Tom Brown Nan Grey*	She Couldn't Say No (C) 571 *Roger Pryor Eve Arden*
Dec. 13	Great Plane Robbery (D) *Jack Holt Vicki Lester*	Comrade X (C) 113 *Clark Gable Hedy Lamarr*		Texas Rangers Ride Again (O) *John Howard Ellen Drew*	Trail Blazers (O) Melody Ranch (M)		Murder Over New York (D) 121 *Sidney Toler Ricardo Cortez*		Trail of the Vigilantes (D) *Franchot Tone B. Crawford*	
Dec. 20	Phantom Submarine (D) *Anita Louise Bruce Bennett*		Pride of the Bowery (D) Chamber of Horrors (D)			No, No, Nanette (M) 114) *Anna Neagle Zasu Pitts*	Jennie (D) 122 *V. Gilmore William Henry*		Give Us Wings (D) 5025 *Dead End Kids*	Here Comes the Navy (D) 525 *James Cagney Pat O'Brien*
Dec. 27	Arizona (O) *Jean Arthur William Holden*	Keeping Company (D) 116 *John Shelton*	Her First Romance (D) *Edith Fellows E. Evans*	North West Mounted Police (D) 3946 Love Thy Neighbor (C)	Texas Terrors (O) 073 *Don "Red" Barry Julie Duncan*	Kitty Foyle (D) 112 *Ginger Rogers Dennis Morgan*	Chad Hanna (D) 123 *Henry Fonda Dorothy Lamour*	Thief of Bagdad (D) *Sabu June Duprez*	Invisible Woman (C) *J. Barrymore Virginia Bruce*	Santa Fe Trail (D) 551 *Errol Flynn O. De Havilland*
Jan. 3	This Thing Called Love (C) Wildcat of Tucson (O)	Flight Command (D) 117 *Robert Taylor Ruth Hussey*	Rolling Home to Texas (O) *Tex Ritter*	Second Chorus (C) *Fred Astaire Paulette Goddard*	Meet the Missus (C) 018 *Higgins Family*	Convoy (D) 161 *Clive Brook John Clements*	Hudson's Bay (D) 115 *Paul Muni Virginia Field*	Son of Monte Cristo (D) *Joan Bennett Louis Haywood*	Where Did You Get That Girl (D) Lucky Devils (D) 5023	Four Mothers (D) 503 *Lane Sisters Jeffrey Lynn*
Jan. 10	Pinto Kid (O) *Chas. Starrett Louise Currie*	Maisie Was a Lady (C) *Ann Sothern Lew Ayres*	Trail of the Silver Spurs (O) Range Busters	Doomed Caravan (O) *Bill Boyd Russell Hayden*	Border Legion (O) 053 Barnyard Follies (C) 008	Little Men (D) 110 *Kay Francis Jack Oakie*	Michael Shane, Private Detective (D) *Lloyd Nolan*		San Francisco Docks (D) *Burgess Meredith Irene Hervey*	Case of the Black Parrot (D) 572 *Wm. Lundigan*
Jan. 17	Face Behind the Mask (D) *Peter Lorre Evelyn Keyes*	Philadelphia Story (C) 119 *Grant-Hepburn James Stewart*	Dead Man's Shoes (D) *W. Lawson*	Victory (D) *Fredric March Betty Field*	Behind the News (D) 009 *Lloyd Nolan D. Davenport*	Let's Make Music (D) 115 *Bob Crosby Jean Rogers*	Romance of the Rio Grande (O) 125 *Cesar Romero*		Six Lessons from Madame LaZonga (M) *Lupe Velez*	Honeymoon for Three (C) *George Brent Ann Sheridan*
Jan. 24		Wild Man of Borneo (C) *Frank Morgan Mary Howard*	You're Out of Luck (D) *Frankie Darro*	Aldrich Family in Life with Henry (C) *Jackie Cooper*	Lone Star Raiders (O) 064 *3 Mesquiteers*	Saint in Palm Springs (D) 116 *George Sanders Wendy Barrie*	Tall, Dark and Handsome (C) 128 *Cesar Romero*	Road Show (C) *Adolphe Menjou Carole Landis*	Back Street (D) *Charles Boyer M. Sullavan*	High Sierra (D) *H. Bogart Ida Lupino*
Jan. 31	Legacy (D) *Warner Baxter Ingrid Bergman Fay Wray*	Come Live With Me (C) *James Stewart Hedy Lamarr*			Bowery Boy (D) *Dennis O'Keefe L. Campbell*	Mr. and Mrs. Smith (C) 117 *Carole Lombard R. Montgomery*	Girl in the News (D) 127 *Valerie Hobson B. K. Barnes*			
Feb. 7				You're the One (M) *Bonnie Baker Orrin Tucker*	Wyoming Wildcat (O) 074 *Don "Red" Barry*	Along the Rio Grande (O) 183 *Tim Holt Ray Whitley*			Who's Crazy Now? (C) *Hugh Herbert Jeanne Kelly*	
Feb. 14				The Mad Doctor (D) *B. Rathbone Ellen Drew*	Robin Hood of the Pecos (O) 054 *Roy Rogers*				Dark Streets of Cairo (D) *Ralph Byrd*	

Every PARAMOUNT SHORT packs a "LONG" Wallop!



December 20
Animated Antics Cartoon
'BRING HIMSELF BACK ALIVE'



December 20
Magnacolor
'POPULAR SCIENCE No. 3'



December 27
Fascinating Journeys
'THE SACRED GANGES'
(Technicolor)



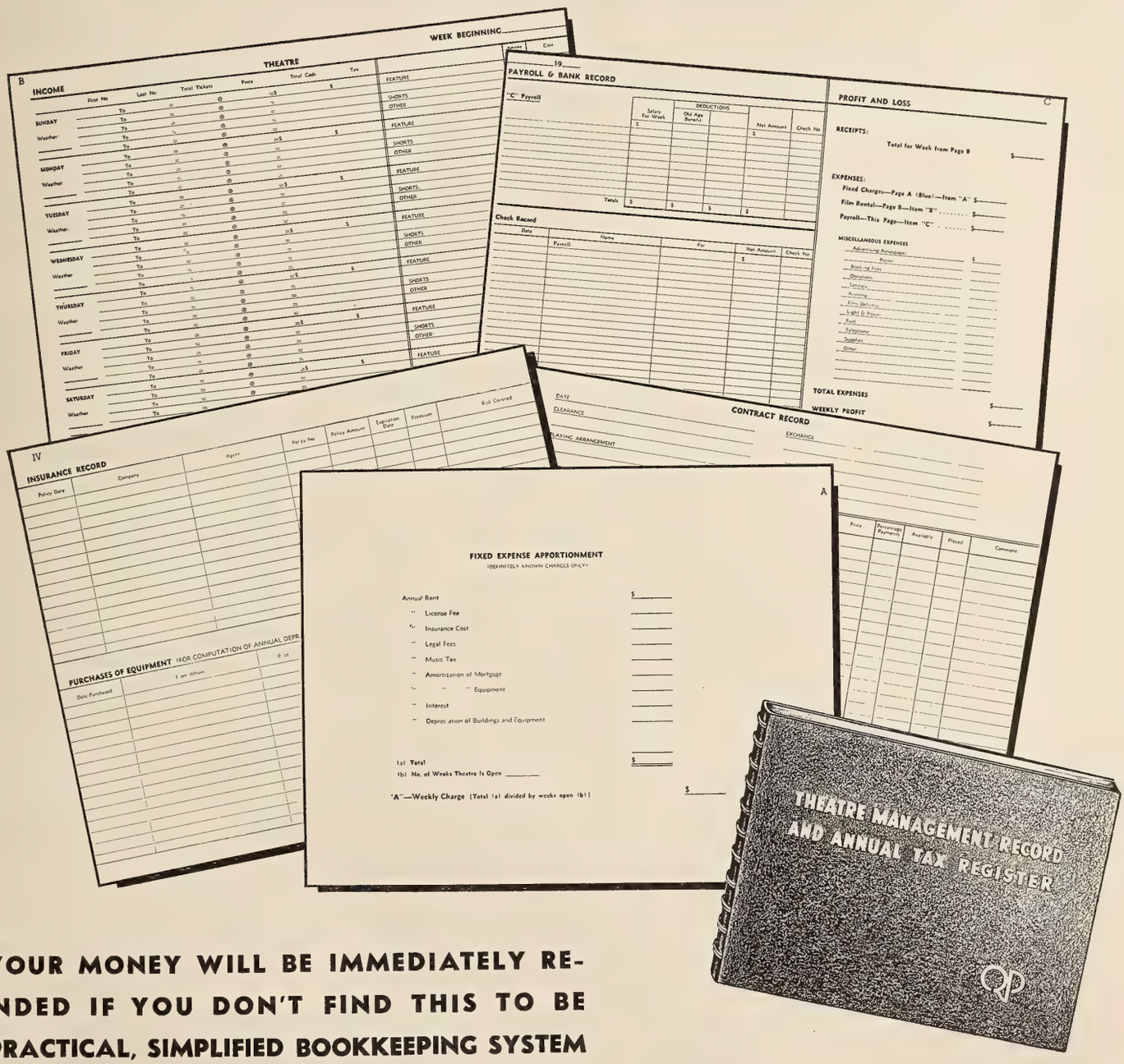
December 27
Paragraphic
'BREEZY LITTLE BEARS'

100% BOX OFFICE TESTED!

Paramount

THE FINEST ACCOUNTING BOOK EVER COMPILED FOR MOTION PICTURE THEATRE OWNERS!!

« *NOTICE THE UTTER SIMPLICITY OF THESE SAMPLE PAGES* »



■ **YOUR MONEY WILL BE IMMEDIATELY REFUNDED IF YOU DON'T FIND THIS TO BE A PRACTICAL, SIMPLIFIED BOOKKEEPING SYSTEM**

$2.00 Postpaid

MAIL COUPON NOW →

QUIGLEY BOOKSHOP, ROCKEFELLER CENTER, NEW YORK

Here is my check for $2.00. Send me "THEATRE MANAGEMENT RECORD."

Name _____ Address _____

City and State _____ Theatre _____

Ascap Ponders Suit Against Radio Webs

(*Continued from page* 1)

that the action might allege monopolistic practices by the networks, citing their refusal to negotiate for license renewals and their banning of Ascap music from network stations even prior to the expiration of their current contracts with the society. This action, it was indicated, is regarded by Ascap as constituting a boycott of its music.

Under present regulations, conviction of a network on a monopoly charge could result in loss of the chain's Federal Communications Commission license, it was said.

Further indications that neither the society nor the broadcasters entertain any expectations of a negotiated peace in their current dispute prior to Jan. 1 were furnished with disclosure of details of a recent meeting between representatives of both sides in New York.

Peace Now 'Inadvisable'

On that occasion, it was learned, Neville Miller, head of N.A.B., asserted that feeling among broadcasters was running so high at present that it would be inadvisable, if not impossible, to attempt to negotiate settlement terms at this time, or even immediately after Jan. 1.

Present at the meeting in addition to Miller were: Isaac Levy, Philadelphia radio operator and CBS stockholder; Dr. Leon Levy, his brother; John G. Paine, Ascap general manager; Billy Rose and Irving Berlin, of Ascap.

Short Wave Called Highlight of Year

(*Continued from page* 1)

081 pickups from 19 foreign countries. There were 16¼ hours from the Republican convention and 18¼ from the Democratic conclave. On Election Night, CBS was on the air continuously for five hours and 20 minutes with returns. CBS has established short wave "listening posts" which are manned by six men on a 24-hour basis, and 19 newspapers are serviced with the news obtained by these "posts."

NBC reported that its news programs rose 251 per cent over the previous year, to a new total of 1,742 program hours. About 1,722 programs were rebroadcast from Europe and a permanent staff of foreign correspondents was established. Domestic special events, not including sports, totaled 164.

Pawtucket House Opens

PAWTUCKET, R. I., Dec. 25.—The Fairlawn Theatre, owned by Thomas K. Fisher of Providence and leased by Strand Theatres, Inc., Boston, has opened here. Seating 950, and costing $75,000, the house is managed by Louis Newman, with Harry T. Fisher as assistant.

Off the Antenna

A HOST of film stars will participate in the "Bundles for Britain" benefit program over NBC-Blue and CBC from 10-11 A.M. New Year's Day. The program will be relayed to England. Those to be heard on the show include Bette Davis, Mickey Rooney, Claudette Colbert, Charles Boyer, Merle Oberon, Myrna Loy, Loretta Young, Mary Martin, Spencer Tracy, Ronald Colman, Nazimova, Philip Donr, Tony Martin and Judy Garland. The committee arranging the program consists of Mrs. Mervyn Leroy, Mrs. Milton Bern and Mrs. Ernst Lubitsch, with Louis B. Mayer and Benny Thau aiding the committee.

Arch Oboler will write and direct the program while Charles Brackett, Billy Wilder, Walter Reisch, Milton Krims, Irving Brecher, Harry Tugend, Bill Morrow and Ed Beloin will contribute sketches. Highlight of the hour will be a Hollywood version of "Quiz Kids" with Rooney as interlocutor and Misses Colbert, Oberon and Young as the precocious youngsters.

• • •

Program News: *"The Green Hornet," which left Mutual on two previous occasions, comes up for a third try Saturday when it gets a new* 8-8:30 *P.M. weekly spot over that web. Reports have it that a sponsor is really in prospect this time. . . . Central Savings Bank has signed a 52-week contract to participate in sponsorship of "Martha Deane" programs over WOR. Other sponsors are R. B. Davis, N. Y. Telephone Co., Philadelphia Dairy Products Co., and G. Washington Coffee Refining Co. . . . Mutual will increase within the fortnight the number of programs weekly from three to six for "Three Suns" heard from the Hotel Piccadilly.*

• • •

Shell Oil will sponsor one of the first television shows over the General Electric television station, W2XAB, Schenectady, on Friday. Ted Steele will be featured and a full orchestra will also participate. On television, of course, a sponsor does not pay for the time but he may provide the entertainment.

• • •

The 221st affiliate joined NBC yesterday as a basic Red and Blue supplementary outlet. WEAU, Eau Claire, Wis., is the station, and it operates with 5,000 watts on 1,050 k.c. Basic rate is $30 per evening hour.

• • •

Purely Personal: *Rufus C. Madux has been named sales director for WOR. . . . Edmund Lowe will have the leading role beginning Monday in four "You're in the Army Now" broadcasts over NBC-Blue, Mondays at 9 P.M. . . . David Ross celebrates his 12th year as a CBS announcer next month . . . Gloria Jean will be heard Monday at 9 P.M. over CBS in a "Lux Radio Theatre" presentation of "A Little Bit of Heaven."*

• • •

A merger between the New York *Post* and the Brooklyn *Eagle* is still under active consideration, it has been learned.

Theatre Changes

Switow Acquires Theatre

SEYMOUR, Ind., Dec. 25. — The Switow Circuit of Louisville, has acquired the Vondee here from Harry Vonderschmitt of Bloomington, Ind. Harry Palmer will manage the three Switow houses in this city.

Building Virginia Theatre

MARTINSVILLE, Va., Dec. 25.—Ground has been broken here for a new theatre for Dr. E. M. McDaniel. It will be Martinsville's fifth house. W. J. Puckett is in charge of construction.

Change Theatre Schedule

JEFFERSON, Ia., Dec. 25.—There will now be no Sunday shows at the Howard Theatre here. The theatre will be open on Thursday, Friday and Saturday evenings instead of Friday, Saturday and Sunday as heretofore.

To Remodel Frisco House

SAN FRANCISCO, Dec. 25.—Excelsior Amusement Co., operating the Royal Theatre at Daly City, will remodel the foyer and lobby, add new signs, and redecorate the interior.

Redecorate Theatre Lobby

WEATHERLY, Pa., Dec. 25. — Improvements at the Ritz Theatre here includes redecorated lobby.

Purchases Philadelphia Unit

PHILADELPHIA, Dec. 25.—The Hill Theatre, Inc., headed by Edward I. Singer, has purchased the suburban Hill Theatre in the Chestnut Hill section from Dorothy S. Cahan. The theatre, assessed at $22,000, will be renovated, including air-conditioning.

To Open in Detroit Soon

DETROIT, Dec. 25.—The Royal Theatre, neighborhood house, will open shortly. It seats 2,500. It will be operated jointly by the W. and W. Theatres and the United Detroit Theatres.

Gets Philadelphia Post

PHILADELPHIA, Dec. 25. — Harry Rosenfeld, formerly of the Capitol, Woodbine, N. J., has been named assistant manager of Joe Oppenheim's Rio here.

Manager Is Promoted

PHILADELPHIA, Dec. 25. — Nate Abramson has been promoted to manager of the Adelphi, Affiliated Theatres house, replacing Warren Hahn.

Manages Brandt House

Steve Strassberg has been named manager of the New York Theatre, Brandt house, succeeding Howard Jacobson, resigned.

N. Y. Post Studies FM Station Here

The New York *Post* is studying the local radio situation with a view toward establishing and operating a frequency modulation station in this area, it has been learned. Expenses of operation and the commercial possibilities of such a station as an advertising medium are being studied, it was said.

Ask FCC Approval For New FM Station

WASHINGTON, Dec. 25.—Construction permits for a new FM station and three regular broadcasting stations have been asked of the Federal Communications Commission.

The FM application was filed by the Head of the Lakes Broadcasting Co., Superior, Wis., asking for a frequency of 44,500 kilocycles. The station would cover 2,754 square miles with a population of 168,193.

The other construction permits were asked by Ruben E. Aronheim for a 1,310-kilocycle, 250-watt station at Fitchburg, Mass.; Lake City Broadcasters, Inc., for a 1,500-kilocycle, 250-watt station at Lake City, Fla., and the Capital City Broadcasting Co., Inc., for an 1,170-kilocycle 5,000-watt daytime station at Topeka, Kan. An amended application was filed by the Central Carolina Broadcasting Corp., seeking a 1,420-kilocycle, 100-watt station at Burlington, N. C., asking for a frequency of 890 kilocycles and power of 250 watts, day only, instead.

Requests were filed by Stations KALB, Alexandria, La., for change of frequency from 1,210 to 580 kilocycles and increase of power from 250 to 1,000 watts, and KGNC, Amarillo, Tex., for change of frequency from 1,410 to 860 kilocycles and increase of power from 1,000 watts night, 2,500 watts day, to 50,000 kilowatts.

Wisconsin Protest On Tax Is Weighed

MILWAUKEE, Dec. 25.—Following a meeting with representatives of independent and circuit exhibitors at Madison at which they protested the proposal of the Wisconsin Department of Taxation to disallow deductions made by theatres on games from 1935 to 1939, Elmer Barlow, State Tax Commissioner, took the matter under advisement.

It is believed that the ruling, if adopted, will affect some 400 Wisconsin theatres and involve approximately $125,000. Exhibitors maintain that the deductions should be allowed because they were made in good faith at a time when games were legal and that the amounts claimed were expenses incurred for "honestly stimulating business."

Film on Oboler Show

Arch Oboler will dramatize a film on his radio show, "Everyman's Theatre," on Jan. 10. The film is Warner's "Flight from Destiny," and will be heard on NBC-Red.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 125 NEW YORK, U. S. A., FRIDAY, DECEMBER 27, 1940 TEN CENTS

FILE COPY DO NOT REMOVE

U. S. Criminal Suit Planned In Music Fight

Gov't to Name Ascap, BMI, NBC and CBS

WASHINGTON, Dec. 26.—Stating that it cannot sit by and see Ascap and the broadcasters engage in a private war at the expense of the public, using violations of the law as their weapons to fight fire with fire, the Department of Justice disclosed today that it planned to initiate criminal proceedings in Milwaukee, soon after the first of the year, against all the parties in that fight, Ascap, Broadcast Music, Inc., National Broadcasting Company and Columbia Broadcasting System.

In official quarters this move was interpreted as meaning that all efforts to reach a consent decree settlement in the New York Ascap case have been abandoned.

It was also disclosed by Thurman Arnold, U. S. Assistant Attorney General, that complaints have been received against the Society of European Authors and Composers which are now being investigated.

That the Government contemplated action of this kind against the net-

(*Continued on page 6*)

Loew's Opens New American Theatre

Heralded by a parade and a flag raising ceremony, Loew's new 2,000-seat American, situated in the Parkchester development of the East Bronx, was formally opened yesterday. The paraders included a number of ushers dressed as "North West Mounted Police," a band of the Bronx Lodge of

(*Continued on page 6*)

Draft New Mexican Film Censor Rules

Mexico City, Dec. 26.—New Federal Government picture censoring regulations are being drafted for the Ministry of the Interior by Jose Castellot, an administration attorney. The new rules are to be completed late in January and are expected to go into effect some time in February.

Holiday Box-Office On Broadway Best In Several Years

Christmas day gave Broadway box-offices the biggest holiday gross in several years. Unusual, mild weather and children out of school helped to bring thousands to Times Square and, with only one or two exceptions, such as the Rivoli, all the Broadway houses did a landslide trade. The good business continued into yesterday.

The Music Hall took an estimated $19,000 with "No, No, Nanette" on Christmas and an estimated $16,000 with the opening of "Philadelphia Story" yesterday. The Paramount altered its price schedule yesterday after drawing an estimated $12,000 on Christmas and garnered $11,000 yesterday with "Love Thy Neighbor" and Tommy Dorsey's band on the stage. At the Strand, "Santa Fe Trail" with Abe Lyman's band on the stage took an estimated $7,200 on Christmas. The Roxy grossed an estimated $9,500 for the opening of "Chad Hanna" Wednesday and $8,500 yesterday. Also big was "Comrade X" at the Capitol where it drew more than $8,500 on the opening Christmas and $6,800 yesterday.

The new Sixth Avenue subway entrance at the Music Hall received its first real test and the result was a call for the police reserves at both the street and subway box-offices. Crowds at the basement box-office overflowed into the RKO Building while on 50th St. a long line waited patiently outside. Legitimate play theatres are add-

(*Continued on page 6*)

EXHIBITORS NAME ROONEY CHAMPION

Tracy Wins Second Place and Gable Third In Herald-Fame Annual Poll; Autry Leads Western Players

Mickey Rooney, repeating last year's success, was voted the champion by circuit and independent exhibitors in the United States and Canada in the annual *Motion Picture Herald—Fame* poll to determine "The Biggest Money Making Stars of 1940."

The 10 money-making stars in the order of their evaluation by exhibitors, reckoned in terms of money in the box-office till, and the number of points each attained, are:

1. Mickey Rooney	4,380
2. Spencer Tracy	3,688
3. Clark Gable	3,117
4. Gene Autry	1,408
5. Tyrone Power	1,315
6. James Cagney	1,239
7. Bing Crosby	1,164
8. Wallace Beery	964
9. Bette Davis	926
10. Judy Garland	908

The points indicated above for each star were the combined totals in the voting by independent and circuit exhibitors. There was little variation from the combined tabulation in the point scoring in the voting of independent and circuit exhibitors, taken separately. The first four places remained the same, and James Stewart appeared in the independent voting in

(*Continued on page 6*)

To Ask Dismissal Of Oklahoma Case

A motion to dismiss the Government's Oklahoma City anti-trust suit against United Artists, Universal, Columbia and the Griffith Amusement Co. will be made by Edward C. Raftery, of O'Brien, Driscoll & Raftery, counsel for United Artists and Universal, within the next few days, it was learned yesterday.

The five companies which are parties to the consent decree in the Government's New York suit recently were dismissed as defendants in the Oklahoma City action in accordance with an agreement with the Government in the New York suit settlement. Raftery's motion to dismiss the Griffith suit, which is now in preparation, will be based on the contention that the Little Three control too small a portion of the business to constitute a

(*Continued on page 6*)

FORTUNATE are we of the motion picture that in a day of world ordeals, deep national concerns and all humanity on trial with its woes of adjustment, we have as our function and share of service the happiest job on earth—the purveying of entertainment. Through the medium of make-believe that makes dreams come true, we open vistas of heart's desire attained, declaring for the screen's hour of grace a truce with fact in a shadowland where for the while at least a perplexed people may enjoy peace on earth and goodwill.

MARTIN QUIGLEY

Frohman Dies; Was Producer 70 Years

Daniel Frohman, 89, a foremost producer of Broadway plays for the past 70 years, died yesterday at the LeRoy Sanitarium here. Frohman fractured his hip last month and subsequently developed pneumonia.

Frohman's affiliation with the film industry dates back to 1912 when he became associated with Adolph Zukor in Famous Players. He had much to do with the introduction of stars into films and the Famous Players' slogan, "Famous Players in Famous Plays," became a reality under his charge.

The line, "Daniel Frohman Presents," lent prestige to the opening of Sarah Bernhardt in the film, "Queen Elizabeth," in 1912. He did much to promote the careers of John Barrymore, Mary Pickford and many other stars.

Coast Flashes

Hollywood, Dec. 26

COLUMBIA today announced the signing of Pat O'Brien, formerly a Warner contract player, to a five-year contract calling for a minimum of two films a year.

•

Dave Lipton, Columbia advertising and publicity director, will leave Saturday for New York following two weeks at the studio during which he made plans to assume his new duties.

•

Murphy McHenry, publicity director for Edward Small and Richard A. Rowland, has resigned to join the Paramount publicity department. The Fred Stanley publicity agency will take over McHenry's duties until after the opening of "Cheers for Miss Bishop," Rowland film, next month, following which Small will close his plant for possibly several months.

•

Casting of two Columbia high budget pictures was completed today. Martha Scott will star opposite George Brent in "They Dare Not Love," to be directed by James Whale. Herbert Marshall and Virginia Bruce will team in "Senate Page Boys," with Alfred E. Green directing.

Agnes Ayres Dies

HOLLYWOOD, Dec. 26.—Agnes Ayres, 42, star of the silent films, died of a cerebral hemhorrage yesterday after an illness of several weeks. A daughter, 15, survives.

Personal Mention

LOU POLLOCK, Universal Eastern advertising and publicity manager, will leave tonight for a visit of several weeks at the studio, where he will confer with JOHN JOSEPH, advertising and publicity director.

•

LESTER B. ISSAC, chief of Loew Theatres projection, and JUNE GLASSBERG will be married today at Temple Emanu-El. They will leave after the ceremony for a honeymoon in the South.

•

JOHN HAMRICK, Seattle manager for Hamrick-Evergreen Theatres, will serve on the national committee of the Greek War Relief Association.

•

CARLO BAVETTA, 20th Century-Fox managing director in Brazil, has postponed his trip to this country, and now is expected about the middle of January.

•

DOROTHY DAY, Tri-States publicity director at Des Moines, has left for a visit in North Dakota.

•

MILTON GOODMAN, Columbia Des Moines salesman, has left for a Southern vacation.

•

NORMAN CORWIN has returned to the Coast.

ARTHUR A. LEE leaves for the Coast tonight.

•

MAURICE SILVERSTONE, HARRY GOLD, J. J. MILSTEIN, ARTHUR SILVERSTONE and JOSEPH PINCUS lunching yesterday at Lindy's (51st St.).

•

GEORGE DEMBOW, E. C. GRAINGER, WILLIAM F. RODGERS, TED O'SHEA, MAX A. COHEN, M. A. SCHLESINGER and GEORGE WELTNER at Nick's Hunting Room in the Astor yesterday.

•

ARTHUR LOEW, TOBY GRUEN, SAM SHAIN, ARTHUR KRIM, I. E. LOPERT, FRANK PHELPS, CLAYTON BOND, JOHN D. HERTZ, JR., JACOB WILK and JOHN EMERY having lunch yesterday at Sardi's.

•

ABE SCHNEIDER, RUBE JACKTER, EDWARD WOLF, IRVING SHAPIRO, AL MARGOLIES, EDWARD PESKAY and ARCHE MAYER at Lindy's (next to the Rivoli) for lunch yesterday.

•

MRS. KENNETH THOMAS, wife of the projectionist at the Strand in Wilkes-Barre, Pa., is the mother of a son, born recently in Nesbitt Memorial Hospital.

•

J. J. ROST and SAM CHAPIN, Warner auditors, have been in Des Moines this week.

Set Teneyck Rites

TRENTON, N. J., Dec. 26.—Private fnueral services will be held here Saturday for George B. Teneyck, 48, active in the theatrical business here for many years, who died yesterday.

Jeffrey Pictures Co. Is Organized Here

George S. Jeffrey announced yesterday the organization of a new producing and distributing company, Jeffrey Pictures Corp., with the main office here.

The initial production will be "Cavalcade of Faith," now available for release and has been produced in four languages, Spanish, Polish, Italian and English. The subject of the feature concerns the evolution of Christianity, dating from the Third Century and follows on to the present.

The personnel of Jeffrey Pictures Corp. includes: George S. Jeffrey, president and general manager; Robert E. McIntyre, vice-president and sales manager; Allyn Butterfield, vice-president and production manager; M. E. Jeffrey, treasurer; Lee Kugel, advertising and publicity director.

Newsreel Parade

WORLD War No. 2 takes the spotlight as Movietone, News of the Day and Universal review the outstanding events of 1940 *in the new issues. RKO Pathe devotes its issue to recounting the news highlights in the sports world and Paramount divides its release between current events and a feature on football. The contents:*

MOVIETONE NEWS, No. 32—Events of the year: war in England, Norway, Belgium; Churchill succeeds Chamberlain; Battle of Dunkerque; Roosevelt flays Italy; Fall of France; French fleet destroyed; air raids in London; war in China; Roosevelt reelected; Pan-American conference; destroyers for bases deal; selective service; draft drawings; preparedness here; Bishop Spellman appointed archbishop; Byrd in Arctic; Dionne quintuplets; "Miss America for 1940."

NEWS OF THE DAY, No. 230—Review of the year: Battle in France and Norway. France falls. Air raids in London. Preparedness in America. Presidential election here.

PARAMOUNT NEWS, No. 35—Prince Olaf arrives. War refugees here. Admiral Leahy sails for Vichy. Connie Mack has a birthday. Airplane workers donate airplane to England. Review of football highlights.

RKO PATHE NEWS, No. 35—1940 in sports: Fenske, Rice and Ewell, track stars; All-Star baseball game and the World Series; Wilbur Shaw and auto racing; Little and Nelson, golf; crew and swimming; McNeill and Alice Marble, tennis; football and turf highlights.

UNIVERSAL NEWSREEL, No. 940—News highlights: war in Norway, Belgium and Holland; battle of Dunkerque; fall of France; battle of Britain; destroyers for bases; Italians attempt blitzkrieg; America prepares; third term; Tacoma bridge collapses.

Briggs West Soon As Producers Chief

HOLLYWOOD, Dec. 26.—Producers Releasing Corp. will make no changes in its Hollywood offices, following the naming of O. H. Briggs as president. Briggs, who recently resigned as president of Pathe Laboratories, Inc., is due here in a month to confer with Sigmund Neufeld and others producing for the company.

Club Plans Open House

COLUMBUS, Dec. 26.—The local Variety Club will hold open house on New Year's Eve, instead of a formal party, as originally planned. George Boller and his orchestra will furnish the music.



SOCIAL SERVICE

Cesar Romero, as the Romeo of the rackets, thoughtfully gives nice things to chorus girls to save them from...of all things!...temptation.

TALL, DARK and HANDSOME

20th's natural!...loaded with laughs! thrills! tunes!

20th CENTURY FOX

Lindy's INC.

RESTAURANTS

1626 BROADWAY 1655

(Next to the Rivoli Theatre) (51st Street Corner)

For over 20 years the luncheon and dinner place for Motion Picture People

Sole agents in New York for FAMOUS

BLUM'S ALMONDETTES

from

San Francisco, California

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London."

All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame.

Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

Conrad Elected by Wilkes Barre Union

WILKES-BARRE, Pa., Dec. 26.—Ray Conrad has been elected president of Local 325 of the operators' union at the annual meeting here. Robert Piatt, Jr., was reelected recording secretary and will start his 12th year in that position.

Other officers are: William Kennedy, vice-president; William Piatt, business agent; Joseph Malloy, secretary-treasurer; William Grimes, sergeant-at-arms; Kenneth Barber, Wilbert Fletcher, Kenneth Thomas, trustees; Mark Thomas, Kain Jacobs, Herbert Rinkenberger, Ted Hayden, executive board; Cummie Piatt, Joseph Moser, John Kenworthy, Edward Parsons, Lewis Hemmer, examining board; George Tate, delegates to Central Labor Union.

Ohio Supreme Court Refuses Games Writ

COLUMBUS, Dec. 26.—The Ohio Supreme Court has refused an injunction to stop chance games, affirming a lower court decision that an injunction in the case would not be the proper remedy. The case was brought by Andrew Attenwiler as a plaintiff taxpayer against the Troy Amusement Co., Troy, Ohio, and involved games at the Mayflower Theatre. The court did not rule on the allegation that the games are a violation of the state's anti-lottery law or on the constitutionality of the law.

Asks Court Rule on New Game in Omaha

OMAHA, Dec. 26.—The Nebraska State Supreme Court has been urged by State's Attorney General Johnson to grant his motion for a judgment on the pleadings in his action to declare "Prosperity Club" operated by Omaha theatres in violation of the court's anti-Bank Night injunction.

The court has previously issued an injunction declaring Bank Night illegal in connection with a test case involving the Fox Beatrice Theatre at Beatrice, Neb.

Cetta President of Scranton Musicians

SCRANTON, Pa., Dec. 26.—Madea Cetta has been reelected head of Local 120 of the American Federation of Musicians, for his third consecutive term. Other officers named were: William Cox, vice-president; William J. Emmel, treasurer; Henry J. Mehl, secretary; William Eiden, sergeant-at-arms; Herbert Sealy, business agent; Cetta, Frank Campbell and Emmel, delegates to the national convention.

Braden to Set Up Midwest Arbitration

J. Noble Braden, executive secretary of the American Arbitration Association, left yesterday for Cleveland and Detroit to select quarters and secretaries for the local arbitration boards to be established in those cities. He will return to New York on Monday and will leave Jan. 2 on a tour of Southern cities during which he will complete the preparatory work on the last of the 31 local boards.

Feature Reviews

"Flight from Destiny"

(Warners)

A PSYCHOLOGICAL study of murder and its motivation, "Flight from Destiny" is told, screen wise, almost wholly through the medium of its protagonist, a college philosophy professor portrayed by Academy Award winner Thomas Mitchell.

The camera follows him as he discovers that he has a heart disease which will allow him but six months to live, as he comes to believe that his last action on earth should be a socially useful one, finds two of his young friends made desperately unhappy, and as he kills, and pays the penalty, in his effort to help humanity. Finally comes his realization that neither he nor any other human can be empowered to judge his fellows.

Leading support is provided by Geraldine Fitzgerald, wife of the young painter enacted by Jeffrey Lynn. The boy has been led into a series of forgeries of old masters by the art dealer, interpreted by Mona Maris, who is killed by Mitchell. James Stephenson is seen as the professor's doctor and confidant. Acting in all departments is up to the standard maintained by Mitchell, who dominates almost all of the footage.

The Barry Trivers screenplay derived from a story by Anthony Berkeley. Vincent Sherman directed the picture, on which Edmund Grainger was associate producer.

Running time, 70 minutes. "A." * W. S.

* *"A" denotes adult classification.*

"They Met on Skis"

(C. L. Import Co.)

THE spectacular expanses of the snow-covered slopes of the French and Swiss Alps form the beautiful background of this story of romance on skis. Henri Sokal, who produced and directed this French film, is known as a producers of ski pictures, and his skill is clearly evident in this.

Light, diverting and pictorially beautiful, it is enjoyable entertainment, with the French language no bar to enjoyment.

Produced with the obvious cooperation of several champion skiers of France, the women's ski team of the Paris Ski Club and Louis Agnel, French racing champion, the film concerns the effort of a young man to save his uncle's mountain-top inn from bankruptcy at the hands of the owner of the big hotel in the valley.

Romance and misunderstanding form a secondary story thread, with the romantic couple portrayed by Henri Presies and Wissia Dina. Exciting highlights which should be received with enthusiasm by any winter sports lover are a skiing race, the search for the girl lost in a crevasse at night, and a concluding ski ballet which is effectively pictured.

Running time, 75 minutes. "G." * CHARLES S. AARONSON

* *"G" denotes general classification.*

Allen Off to Africa; Bolle Delays Return

A. R. Allen, Jr., who has been assigned from the foreign department at the home office of 20th Century-Fox to South Africa, will leave for his new post today on the *Brazil*, traveling via South America.

Otto Bolle, managing director in South Africa, who was to have left on the *Brazil* today with Allen, has been delayed and is not expected to leave until the end of January.

Rob St. Louis House

ST. LOUIS, Dec. 26.—Two robbers held up Lowell Smith, treasurer, and Elmer Esrock, doorman, of the Fox Theatre, Fanchon and Marco de luxe house, last night and fled with $1,290. The holdup took place a short time after lights in the theatre had been restored after being out for an hour due to a power failure.

'Bishop' Will Open In Lincoln Jan. 14

The world premiere of "Cheers for Miss Bishop," Richard A. Rowland's new United Artists' release, will be held in three theatres in Lincoln, Neb., on Jan. 14. Theatres selected are the Stuart, Nebraska and the Lincoln.

Martha Scott, William Gargan, Mary Anderson and Marsha Hunt, members of the cast, and Tay Garnett, director, will attend the premiere.

Davidson in Canada

TORONTO, Dec. 26.—J. D. Davidson, English producer, has arrived in Canada from London under appointment from John Grierson, who has resigned as Commissioner of the National Film Board, and has started work on the making of a film portraying the activities of the Royal Canadian Navy for the Dominion Government.

Fairbanks, Wanger In 'Defeat Axis' Plea

Washington, Dec. 26. — Douglas Fairbanks, Jr., Walter Wanger and Wythe Williams, radio commentator, today were disclosed by the White House as among 200 educators, journalists and other professional men and women signing a telegram to President Roosevelt asking that he adopt a policy of doing everything possible to bring about the defeat of the Axis powers. The message expressed unqualified approval of his plans to aid Britain through the loan of armaments and criticized the "too prevalent" indifference to the world situation which exists in this country.

Allen Heads War Group in Canada

TORONTO, Dec. 26.—Gurston Allen of the Allen theatre interests, Toronto, is general chairman of the War Efforts Committee of the Canadian Jewish Congress, to which authority has been officially assigned by the Dominion Department of National Defence for the supplying of furnishings and equipment for recreation rooms of all army units in the Toronto Military District.

Associated with him in this war work are Ben Geldsaler of Famous Players Canadian Corp., as chairman of the Military Committee, and Mrs. Herbert Allen, wife of the Premier Theatres' executive, who is chairman of the Women's Committee of the Congress.

Film Alliance Sues GB, Ostrer on Pact

Film Alliance of the U. S. yesterday in N. Y. Supreme Court filed two suits for $100,000 damages each against Gaumont British Pictures Corp., of America and Isidore Ostrer, chairman of the board, charging breach of contract. Film Alliance alleges that its assignor, Albert P. DeCourville, obtained exclusive rights here for "Things Are Looking Up," starring Vivien Leigh, and that G. B. refuses to comply with the agreement. Film Alliance seeks an order to examine Ostrer and Mary Larkin, assistant secretary of Gaumont British, before trial. DeCourville is now in America.

Smith Wins Mass. Circuit Drive Prize

SPRINGFIELD, Mass., Dec. 26.—Edward Smith, manager of the Paramount here, was awarded first prize in an anniversary drive of the Western Massachusetts Theatres, Inc. Other winners were Charles Smith of the Broadway; George Laby, Victory, Holyoke; David F. Perkins, Northampton, and Louis Marcks, Strand, Westfield.

The awards were presented by Nathan E. Goldstein, president of the organization, at a luncheon at the Hotel Sheraton. Bonus checks were also distributed to the theatre managers for their staffs.

Paramount's

LOVE THY



JACK BENNY

got all the importan

Paramount's

LOVE THY



FRED ALLEN

Got all (well, almos
up from Coast to Co

Paramount's

LOVE THY



MARY MARTIN

is definitely in
box office class
"Love Thy Neigh



Paramount Pictures

NEIGHBOR

HOLIDAY playing time. 357 KEY RUNS!

NEIGHBOR

all) the HOLIDAY BUSINESS, cleaning
t!

NEIGHBOR

e "North West Mounted Police"
.another great triumph for the
or" company, PARAMOUNT!

U. S. Criminal Suit Planned In Music Fight

(*Continued from page* 1)

works and BMI has been generally known in New York and Washington for the past several days.

MOTION PICTURE DAILY yesterday reported that the Department of Justice was considering instituting such proceedings on the theory that BMI, after Jan. 1, will constitute as much of a monopoly of music performance on the air as Ascap was when the Government brought its anti-trust suit against the society in 1935.

What U. S. Will Charge

The Milwaukee proceedings, which have been under consideration for some time, will charge:

1. Illegal pooling of most of the desirable copyright music available for broadcasting in order to eliminate competition and monopolize the supply.

2. Illegal discrimination against users of copyright music.

3. Illegal discrimination against composers who are not members of Ascap or BMI.

4. Withholding music from publication in order to exact fees not permitted by the Copyright laws.

5. Illegal price fixing.

6. Restraining composers in their right to bargain for the sale of their own music.

7. Requiring users of music to pay for tunes on programs in which no music is played.

8. Mutual boycotts by Ascap and the networks (through BMI) in an attempt by each group to obtain for themselves control over the supply of music by depriving the others of control, which threaten to restrain and obstruct the rendition by radio of about 90 per cent of the desirable modern copyright music.

Pointing out that the Department for a number of years has been interested in Ascap activities which it felt were designed solely for the purpose of securing a monopoly over the supply of music, Arnold explained that recently, through BMI, the two networks have engaged in similar restrictive practices.

"It is claimed that these activities were necessary to protect the broadcasting chains from the illegal activities of Ascap," he said. "The Department is not concerned with the question as to which organization was the aggressor. Each of these groups today is charged with using illegal methods to wrest the control of copyright music from the other.

"This Department cannot sit by and see Ascap and the broadcasters engage in a private war at the expense of the public, using violations of law as their weapons in order to fight fire with fire. We have tried to obtain voluntary agreement to form the basis of a working peace which would eliminate the illegal activities and allow the associations of composers to continue their legitimate function of protecting their members from piracy. Those efforts, which a few days ago appeared to be on the verge of success, have failed. Now we have no choice but to proceed with a criminal prosecution to protect the interests of the public in orderly competition in the distribution of music."

Ascap will take an appeal to the U. S. Supreme Court from the decision of the Federal statutory court at Tacoma upholding the constitutionality of the Washington anti-Ascap law, Schwartz & Frohlich, Ascap counsel, said yesterday. The appeal can be taken directly to the high court from the three-judge statutory court.

Appeals from the Nebraska and Florida anti-Ascap statutes are now pending in the U. S. Supreme Court.

Miller Says Radio Is In the Clear

Neville Miller, president of the NAB, last night issued a statement saying that while the Government "is on the right track in bringing criminal charges against Ascap," the broadcasters' activities are in the clear.

Miller said: "It is most unfortunate that the Department of Justice seems to have confused the illegal practices of Ascap with the perfectly legitimate effort of broadcasters to create an alternative competitive supply of music. Broadcast Music, Inc., is not the creature of NBC and CBS. It was formed by mandate of the National Association of Broadcasters in open convention." He said the networks together own only 17.1 per cent of BMI stock.

Miller further declared that "the statement issued by the Department of Justice shows that the Department does not understand the setup of BMI. . . . Certainly, if it believes that broadcasters are attempting a boycott, it is completely misinformed."

The NAB president said the Government had not discussed the setup with the broadcasters and asked that the Government study it before proceeding with its planned action.

Buck Issues Ascap Statement

Gene Buck, president of Ascap, issued a statement which in part stated:

"Assistant Attorney General Arnold's announcement to proceed to indict Ascap is regrettable but does not come as a shock to me or my associates. We composers and authors of the nation have long grown used to the power and influence of the broadcasters since the birth of radio. The only new feature of the government's announcement is Mr. Arnold's declaration to also indict the Columbia Broadcasting System, the National Broadcasting Company and their company union, Broadcast Music, Inc., for which he receives our sincere congratulations."

Only One Ascap Publisher to BMI

Ascap last night announced that, of 140 music publishing companies which have been affiliated with the society, 139 have renewed on contracts starting Jan. 1. Formal renewal for 10 years was signed yesterday by Robbins Music, Miller and Leo Feist, all M-G-M affiliates, and Movietone Music, a subsidiary of 20th Century-Fox. The sole "holdout" is Edward B. Marx Music Corp., which has signed with BMI.

Holiday Box-Office On Broadway Best In Several Years

(*Continued from page* 1)

ing matinees all this week and most of the shows are playing to the limit of capacity.

Aided by the strong attraction of the Christmas stage show, "No, No, Nanette" drew an estimated $97,000 for its week at the Music Hall. "Santa Fe Trail" starts its second week at the Strand this morning after an estimated $40,000 for its first week. "Dr. Kildare's Crisis" brought an estimated $9,000 for its week at the Capitol. Six days for "One Night at the Tropics" at the Roxy grossed an estimated $18,000. "Fantasia" at the Broadway is a complete sellout and should bring an estimated $27,500 for its sixth week. The first five days of "Victory" brought an estimated $15,000 to the Rivoli.

Dismissal Denied In Cassil's Action

KANSAS CITY, Dec. 26.—Federal Judge Merrill E. Otis has overruled motions to dismiss by defendants in the anti-trust suit of Eugenia and Frank Cassil of the Rialto, St. Joseph, Mo., against Dubinsky Brothers and major distributors. The trial is set for February. Meanwhile, Cassil has taken over the Rivoli in St. Joseph and has announced he will spend $10,000 remodeling it.

Loew's Opens New American Theatre

(*Continued from page* 1)

Elks, 300 girls of the American Blue Jackets and the band of the Nautical cadets.

After ceremonies in front of the theatre, Borough President James J. Lyons cut away the cellophane which enclosed the box-office and the ticket sellers went into action.

Among those present were Charles C. Moskowitz, Oscar A. Doob, Marvin Schenck and Ernest Emerling of Loew's, Postmaster Albert Goldman and Monsignor Arthur J. Scanlan.

Mrs. Kennedy Rites Held

Funeral services were held in Brooklyn Tuesday for Mrs. Mary Kennedy, 70, mother of three daughters employed in the industry. The daughters are Dorothy, a receptionist at Loew's; Rosana, telephone operator at RKO, and Alice, telephone operator at U. A. A granddaughter, Dorothy Donaldson, is employed in Loew's contract department.

Dinner for Employes

PHILADELPHIA, Dec. 26.—David E. Milgrim, president of Affiliated Theatres, independent circuit in this area, will preside at the annual Christmas dinner on Saturday to be attended by 400 employes of the circuit and their families at the Majestic Hotel.

Rooney Voted '40 Champion By Exhibitors

(*Continued from page* 1)

ninth place, but not in the combined first-ten tabulation.

Most unusual feature of the 1940 voting was the appearance in the first 10 of Gene Autry, Western star, who of course scored first in the Western star voting.

Following Autry, with 4,756 points, the Western winners, in the order of ranking, with their point totals, were: William Boyd, 3,423; Roy Rogers, 2,793; George O'Brien, 1,765; Charles Starrett, 1,333; Johnny Mack Brown, 1,034; Tex Ritter, 862; Three Mesquiteers, 797½; Smiley Burnette, 601; Bill Elliott, 585.

Spencer Tracy rose from third place in 1939 to second this year. Clark Gable, in third place, is the only top star who has appeared in the first 10 every year since the poll started in 1932. In that time, he has scored four seconds, two thirds, one fourth, one seventh and one eighth. He took fourth place last year. Second in 1939, Tyrone Power was rated fifth this year.

James Cagney climbed from ninth last year to sixth in 1940. Bing Crosby, in seventh place, placed fourth in 1937; Wallace Beery returned to the first 10 this year, for the first time since 1936, after four consecutive years, taking eighth place this year. Bette Davis appeared in the select group for the first time last year, and scored ninth this year, while Judy Garland, who received scant attention in the 1939 voting, took the tenth position in the 1940 listing.

'Go West' Garners $8,500, New Haven

NEW HAVEN, Dec. 26.—"Go West" and "Gallant Sons" took $8,500 at the Loew-Poli. The second week of "Tin Pan Alley" and "Charter Pilot" at the College took $3,000.

Estimated takings for the week ending Dec. 19:

"Tin Pan Alley" (20th-Fox)
"Charter Pilot" (20th-Fox)
COLLEGE—(1,499) (30c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $2,700)
"Go West" (M-G-M)
"Gallant Sons" (M-G-M)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $8,500. (Average, $8,000)
"One Night in the Tropics" (Univ.)
"Trail of the Vigilantes" (Univ.)
PARAMOUNT—(2,348) (39c-50) 7 days. Gross: $4,000. (Average, $4,000)
"You'll Find Out" (RKO)
"Millionaires in Prison" (RKO)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $3,700. (Average, $5,000)

Will Ask Dismissal In Oklahoma Case

(*Continued from page* 1)

monopoly as alleged in the Oklahoma City action.

The motion to dismiss the suit will be in the nature of a test case. If successful, it would be followed by similar motions in the Government's Buffalo and Nashville anti-trust actions, from which the Big Five also will be dismissed as defendants in the near future.

'Mounted' Garners $9,000, Pittsburgh

PITTSBURGH, Dec. 26.—"North West Mounted Police" drew a strong $9,000 in the third week at the Warner, in a week in which grosses were hurt by Christmas shopping.

Estimated takings for the week ending Dec. 19:

"Argentine Nights" (Univ.)
"Diamond Frontier" (Univ.)
FULTON—(1,800) (28c-44c) 5 days. Gross: $3,900. (Average, 7 days, $5,000)
"Little Nellie Kelly" (M-G-M)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $12,500. (Average, $13,000)
"Mexican Spitfire" (RKO)
"Thinking Out Loud" (RKO)
RITZ—(800) (28c-44c) 7 days. Gross: $1,200. (Average, $4,000)
"Tin Pan Alley" (20th-Fox)
SENATOR—(1,800) (28c-39c-55c) 7 days, 3rd week. Gross: $5,500. (Average, $4,500)
"Go West" (M-G-M)
STANLEY—(3,600) (28c-39c-55c) 7 days. Gross: $10,000. (Average, $13,000)
"North West Mounted Police" (Para.)
WARNER—(2,000) (28c-39c-55c) 7 days, 3rd week. Gross: $9,000. (Average, $5,000)

Minneapolis Dull; 'Escape' at $6,600

MINNEAPOLIS, Dec. 26.—More of the snow which has been a problem for business in this area, and Christmas shopping are blamed for a poor week. "Escape" drew $6,600 at the State.

Estimated takings for the week ending Dec. 20:

"Escape" (M-G-M)
STATE—(2,300) (28c-39c-44c) 7 days. Gross: $6,600. (Average, $5,500)
"Mark of Zorro" (20th-Fox)
ORPHEUM—(2,800) (28c-39c-44c) 7 days. Gross: $5,500. (Average, $5,500)
"Women With Red Hair" (W. B.)
CENTURY—(1,600) (28c-39c-44c) 7 days. Gross: $2,400. (Average, $4,000)
"Cherokee Strip" (Para.)
GOPHER—(998) (28c) 8 days. Gross: $2,000. (Average, $2,500)
"Snow White and Seven Dwarfs" (RKO)
WORLD—(350) (28c-39c-44c-55c) 7 days. Gross: $1,300. (Average, $1,600)
"Murder in New York" (20th-Fox)
"Girls Under 21" (Col.)
ASTER—(900) (15c-28c) 5 days. Gross: $1,000. (Average, $1,800)

Kansas City Houses In Box-Office Slump

KANSAS CITY, Dec. 26.—The Midland took $7,900 with "Go West" and "Gallant Sons," but icy weather and Christmas shopping ruined business.

Estimated takings for the week ending Dec. 17-19:

"Trail of the Vigilantes" (Univ.)
ESQUIRE—(800) (28c-44c) 7 days. Gross: $1,300. (Average, $2,200)
"Go West" (M-G-M)
"Gallant Sons" (M-G-M)
MIDLAND — (4,000) (28c-44c) 7 days. Gross: $7,900. (Average, $9,500)
"A Dispatch from Reuter's" (W.B.)
NEWMAN — (1,900) (28c-44c) 5 days. Gross: $3,300. (Average, 5 days, $5,600)
"East of the River" (W.B.)
"Dreaming Out Loud" (RKO)
ORPHEUM — (1,500) (28c-44c) 7 days. Gross: $3,100. (Average, $5,000)
"Charter Pilot" (20th-Fox)
TOWER—(2,200) (30c) 7 days. Stage: Angus Twins, Searle Twins, Gasca Brothers, and Vince & Anita. Gross: $5,100. (Average, $6,000)
"Trail of the Vigilantes" (Univ.)
UPTOWN — (2,000) (28c-44c) 7 days. Gross: $1,700. (Average, $3,000)

Anna Neagle Appearance

Anna Neagle will appear at a number of RKO theatres in the Metropolitan area over the weekend in conjunction with the showing of RKO's "No, No, Nanette," in which she is starred. She will be accompanied by Herbert Wilcox, director of the film.

'Go West' $11,500 In Cincinnati Slump

CINCINNATI, Dec. 26. — Holiday business and fair weather hurt grosses, but "Go West" drew $11,500 at the RKO Albee. "Philadelphia Story" took $9,800 in the second week at the RKO Palace at advanced prices.

Estimated takings for the week ending Dec. 18-21:

"Go West" (M-G-M)
RKO ALBEE — (3,300) (33c-40c-50c) 7 days. Gross: $11,500. (Average, $12,000)
"Philadelphia Story" (M-G-M)
RKO PALACE—(2,700) (42c-60c) 7 days, 2nd week. Gross: $9,800. (Average, at 33c-40c-50c, $10,000)
"Trail of the Vigilantes" (Univ.)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days. Gross: $3,300. (Average, $5,000)
"Little Nellie Kelly" (M-G-M)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $4,000. (Average, $5,500)
"Escape to Glory" (Col.)
RKO GRAND — (1,450) (33c-40c-50c). Gross: $3,300.
"Melody Ranch" (Rep.)
RKO LYRIC — (1,400) (28c-33c) 7 days. Gross: $2,300. (Average, $4,500)
"Drums of the Desert" (Mono.)
"Melody and Moonlight" (Rep.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $1,100. (Average, $1,200)
"Diamond Frontier" (Univ.)
"Sandy Gets Her Man" (Univ.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $900. (Average, $900)
"Tin Pan Alley" (20th-Fox)
KEITH'S—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $4,500. (Average, $5,000)

'Command' Garners $8,000 in Montreal

TORONTO, Dec. 26.—"Flight Command" drew $8,000 at Loew's in the first four days. "One Night in the Tropics," on a double bill," grossed $5,600 at the Imperial.

Estimated takings for the week ending Dec. 19-21:

"One Night in the Tropics" (Univ.)
"Sandy Gets Her Man" (Univ.)
IMPERIAL—(3,373) (15c-25c-35c-50c-65c) 6 days. Gross: $5,600. (Average, $9,000)
"Flight Command" (M-G-M)
LOEW'S—(2,074) (15c-25c-35c-50c-65c) 4 days. Gross: $8,000. (Average, $9,000, 6 days)
"Tugboat Annie Sails Again" (W. B.)
"Always a Bride" (W. B.)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days. Gross: $5,000. (Average, $7,500)
"North West Mounted Police" (Para.)
"Life With Henry" (Para.)
TIVOLI—(1,434) (10c-15c-25c-40c) 6 days. Gross: $4,000. (Average, $3,900)
"A Dispatch From Reuters" (W. B.)
UPTOWN—(2,761) (15c-25c-35c-50c-65c) 6 days. Gross: $5,800. (Average, $9,000)

'Say No,' Weems Hits $8,800, Indianapolis

INDIANAPOLIS, Dec. 26. — Ted Weems and his orchestra on the stage and "She Couldn't Say No" on the screen did $8,800 at the Lyric, the only show to do over average business in a dull week.

Estimated takings for the week ending Dec. 19-20:

"Trail of the Vigilantes" (Univ.)
"A Little Bit of Heaven" (Univ.)
CIRCLE — (2,800) (28c-33c-44c) 7 days. Gloria Jean on stage first three days. Gross: $5,200. (Average, $6,000)
"The Long Voyage Home" (U.A.)
"Hullabaloo" (M-G-M)
LOEW'S — (2,800) (28c-33c-44c) 7 days. Gross: $5,500. (Average, $7,000)
"She Couldn't Say No" (W.B.)
LYRIC — (2,000) (28c-33c-44c) 7 days. Stage: Ted Weems orchestra, with Perry Como, Elmo Tanner, Red Ingle, Orm Downs and Marvel Maxwell. Gross: $8,800. (Average, $8,000)

Wins Bowling Trophy

PHILADELPHIA, Dec. 26.—The Warner Club Bowling Trophy has been won permanently by the local club, as a result of three consecutive victories over the New York team.

Revue and Comedy To Open This Week

"All in Fun," musical revue starring Bill Robinson and featuring Imogene Coca, Pert Kelton and Wynn Murray, opens tonight at the Majestic. Leonard Stillman is the producer.

On Sunday, Edward Choate will present at the 48th St. Playhouse a new comedy, "The Flying Gerardos," written by Kenyon Nicholson and Charles Robinson and starding Florence Reed.

'Alley' at $4,800, But St. Louis Slow

ST. LOUIS, Dec. 26.—The customary Christmas slump hit St. Louis box-offices. "Tin Pan Alley" and "You'll Find Out" drew $4,800 at the Missouri.

Estimated takings for week ending Dec. 19:

"Go West" (M-G-M)
"Sky Murder" (Col.)
LOEW'S STATE—(3,182) (28c-39c-44c-56c) 7 days. Gross: $11,750. (Average, $13,000)
"North West Mounted Police" (Para.)
AMBASSADOR—(3,018) (30c-35c-40c-45c-50c-60c) 7 days, 2nd week. Gross: $7,500. (Average, 28c-39c-44c-56c scale, $11,500)
"Trail of the Vigilantes" (Univ.)
"The Bank Dick" (Univ.)
FOX—(5,038) (30c-40c-50c) 7 days. Gross: $5,500. (Average, $11,000)
"Tin Pan Alley" (20th-Fox)
"You'll Find Out" (RKO)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Second week. Gross: $4,800. (Average, $4,000)
"The Lady with the Red Hair" (W. B.)
"The Fugitive" (Univ.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $1,900. (Average, $2,600)

'Vigilantes' Garners $10,000 in Baltimore

BALTIMORE, Dec. 26.—The pre-holiday slump settled in the film houses last week. "Trail of the Vigilantes" took $10,000 at Keith's. "Tin Pan Alley" took $7,000 in the fourth week at the New.

Estimated takings for the week ending Dec. 12:

"Dr. Kildare's Crisis" (M-G-M)
CENTURY—(3,000) (15c-28c-44c) 7 days. Gross: $7,100. (Average, $10,000)
"Trail of the Vigilantes" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $10,000. (Average, $9,000)
"Tin Pan Alley" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days, 4th week. Gross: $7,000. (Average, $7,000)
"East of the River" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $9,000. (Average, $12,000)
"Christmas in July" (Para.)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) Jan Savitt's Orchestra on the stage. Gross: $15,000. (Average, $14,000)

'Westerner' Draws Good $7,400, Omaha

OMAHA, Dec. 26.—Theatre grosses here suffered badly from extreme cold weather, heavy snows and Christmas shopping. "The Westerner" was good for $7,400 at the Omaha.

Estimated takings for the week ending Dec. 18-19:

"Blondie Plays Cupid" (Col.)
"Lone Wolf Keeps a Date" (Col.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $3,800. (Average, $4,000)
"The Westerner" (U. A.)
"Dancing on a Dime" (Para.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $7,400. (Average, $6,000)
"Dr. Kildare's Crisis" (M-G-M)
"Argentine Nights" (Univ.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $6,900. (Average, $7,200)

'Tin Pan Alley' Seattle's Lead, Takes $7,500

SEATTLE, Dec. 26.—"Tin Pan Alley" at the Fifth Avenue was the week's best grosser, with $7,500, in an otherwise dull pre-Christmas period. A two-car giveaway by the combined downtown theatres on one night helped grosses considerably, but otherwise results for the week were poor.

Estimated takings for the week ending Dec. 20:

"Escape" (M-G-M)
"Hullabaloo" (M-G-M)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $2,900. (Average, $4,000)
"Tin Pan Alley" (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $7,500. (Average, $7,000)
"The Lone Wolf Keeps a Date" (Col.)
"Glamour for Sale" (Col.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days. Gross: $3,900. (Average, $5,000)
"North West Mounted Police" (Para.)
MUSIC BOX—(950) (40c-50c-65c) 7 days, 4th week. Gross: $3,000. (Average, $4,000)
"The Bank Dick" (Para.)
"Murder Over New York" (20th-Fox)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $5,000. (Average, $6,000)
"Margie" (Univ.)
"Leather Pushers" (Mono.)
PALOMAR—(1,500) (30c-40c-50c) 7 days. Vaudeville. Gross: $4,200. (Average, $5,000)
"Go West" (RKO)
"Too Many Girls" (RKO)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. Gross: $5,500. (Average, $6,000)

'Vigilantes' Draws $14,500, Cleveland

CLEVELAND, Dec. 26.—"Trail of the Vigilantes" at the RKO Palace, aided by the three Stooges and Frances Langford on the stage, led with $14,500.

Estimated takings for the week ending Dec. 19:

"Mark of Zorro" (20th-Fox)
"Tin Pan Alley" (20th-Fox)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $3,500. (Average, $4,000)
"You'll Find Out" (RKO)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $9,000. (Average, $11,000)
"Trail of the Vigilantes" (Univ.)
RKO PALACE—(3,100) (33c-47c-55c) 7 days. Stage show. Gross: $14,500. (Average, $13,500)
"Go West" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 5 days. Gross: $8,000. (Average, 7 days: $11,000)
"North West Mounted Police" (Para.)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days, 3rd week. Gross: $6,000. (Average, $4,000)

'Letter' at $6,000 Leads in Montreal

MONTREAL, Dec. 26.—"The Letter" in its second week at Loew's drew $6,000. Inclement weather and Christmas shopping hurt business generally.

Estimated takings for the week ending Dec. 19th:

"The Long Voyage Home" (U. A.)
ORPHEUM—(1,000) (30c-43c) 7 days. Gross: $2,200. (Average, $4,000)
"The Letter" (W. B.)
LOEW'S—(2,900) (30c-40c-60c) 7 days. 2nd week. Gross: $6,000. (Average, $7,000)
"Lady With Red Hair" (W. B.)
PALACE—(2,200) (25c-45c-65c) 7 days. Gross: $3,200. (Average, $7,000)
"The Mark of Zorro" (Fox)
"Youth Will Be Served" (Fox)
CAPITOL—(2,800) (25c-45c-55c) 7 days. Gross: $3,500. (Average, $4,000)
"Wyoming" (M-G-M)
"Five Little Peppers in Trouble" (Col.)
PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $2,500. (Average, $2,500)

Flamm Seeks To Withdraw WMCA Change

WASHINGTON, Dec. 26.—Withdrawal of the petition under which the FCC approved the transfer of control of WMCA, New York, to Edward J. Noble, has been asked by Donald J. Flamm, present owner, it was disclosed today. Flamm's petition failed to state the reason for the requested withdrawal, but it was stated at the commission's offices that there was no compulsion to consummate the deal under the authorization granted Dec. 18.

It was explained that the granting of the original petition merely gave permission for the transfer and that no further FCC action was necessary if it was desired to drop the deal. When the petition was filed the FCC was urged to give it prompt consideration, it being explained that the contract for the sale expires Dec. 31.

Neither Flamm nor Noble could be reached for comment yesterday on the petition for withdrawal. At WMCA it was explained that no comment was possible while any matter was pending before the FCC.

CBC Defendant in Action on Contract

TORONTO, Dec. 26.—Goodheram & Worts, Ltd., Toronto, has brought action in the Toronto courts against the Canadian Broadcasting Corp., claiming $250,000 damages for alleged breach of contract in failing to carry out the terms of a five-year lease for the operation of Station CKGW, Toronto, formerly operated privately by the company.

According to plaintiffs, the broadcasting station showed an average profit of $20,000 per year when it was operated by the company. Shortly after it had been leased by CBC, the government-sponsored radio system had been reorganized and Station CKGW had been closed down, to be followed by the establishment of Station CBL, Toronto, as the main Toronto studio.

Johnstone on Tour In Paralysis Drive

George W. Johnstone, chairman of the radio committee of the national Committee for the Celebration of the President's Birthday, left last night with Keith Morgan, national chairman, on a swing around the country to complete the organization of the annual drive against paralysis.

They will attend a luncheon in Los Angeles for the organization in California, to be given by Joseph M. Schenck, chairman of the board of 20th Century-Fox, at the Biltmore Hotel on Jan. 3. Schenck is vice-chairman of the campaign and state chairman for California.

'Ranch' on Autry Show

Gene Autry and others of the cast of Republic's "Melody Ranch" will dramatize the film on Autry's half-hour show on CBS Sunday night.

Off the Antenna

FIVE stations in an Oklahoma regional network will leave Mutual and become affiliated with the Southwestern group of the NBC-Blue network Jan. 1, William S. Hedges, vice-president in charge of stations, announced yesterday. The five stations will be optional to the Blue Southwestern group and will be available only in a group at a basic rate of $200 per evening hour. The total number of affiliates for NBC thus rises to 227. Other network changes on Jan. 1 will be the increase to full time operation by WFLA, Tampa, and WSUN, St. Petersburg. WFLA goes to 5,000 watts on 940 k.c. and WSUN goes to 5,000 watts on 620 k.c.

The five new Oklahoma station are KADA, Ada, 1,200 k.c., 100 watts; KVSO, Ardmore, 1,210 k.c. 250 watts day and 100 night; KCRC, Enid, 1,360 k.c., 250 watts; KBIX, Muskogee, 1,500 k.c., 100 watts; and KGFF, Shawnee, 1,420 k.c., 250 watts.

• • •

Program News: *Beechnut Co. yesterday signed a 52-week contract for sponsorship of the "Dance Parade" over WNEW from 10:30 P.M. to midnight Mondays through Saturdays, beginning Dec. 31. . . . Glenn Miller will preside over "Make Believe Ballroom" over WNEW from 5:30-7:30 tonight and Sammy Kaye will be master of ceremonies Tuesday. Martha Raye was heard yesterday, Martin Block having left Tuesday evening for a Miami vacation. . . . "The Home of the Brave" will start Monday Jan. 6 at 2:45 P.M., replacing "My Son and I" for Calumet Baking Powder, the sponsor. The program will be heard Mondays through Fridays at the same time.*

• • •

Arthur Hull Hayes, WABC sales manager, yesterday was appointed to the newly created post of general manager for the station. Hayes, who has developed the sale of early morning time on the station to a considerable extent, was Eastern sales manager for CBS radio sales for three years up to 1937 when he was appointed WABC sales manager.

• • •

Major John A. Holman, general manager of KDKA, Pittsburgh, has received his orders from the War Department to report for active duty and will leave for Washington, Jan. 17. Lee B. Wailes, manager of broadcasting for Westinghouse radio stations, said that Holman's successor had not yet been chosen.

• • •

Purely Personal: *F. Williard Butler, in charge of NBC local sales traffic department, has been appointed a salesman in the spot and local sales department. Butler, on Christmas Day, announced his engagement to Dorothy Michel, secretary to B. F. McClancy, manager of the traffic department, but no date has been set for the wedding. . . . Jean Hersholt will be heard on the British War Relief Society show over WNEW at 7:45 tonight. . . . Wally Butterworth missed his first commercial program in 13 years yesterday when influenza prevented him from being heard on the "Vox Pop" show. Roland Winters substituted for Butterworth and teamed up with Parks Johnston. . . . Tom McKnight, producer of the "Blondie" programs, is ill with ptomaine poisoning. . . . Dick Evans, WBAX, Wilkes-Barre, sports announcer, recently became the father of his second child, a boy.*

WNEW to Sign With Ascap; Seen Key to Independents

The major break in the independent radio station setup came yesterday when Bernice Judis, WNEW general manager, disclosed that it was the intention of the station to renew its Ascap contract. The action followed closely the disclosure on Wednesday that WHN would also sign with Ascap.

WNEW, which is identified among New York listeners as a dance band station almost exclusively, has been regarded generally by informed observers as holding the key to the independent station policy all over the country. The station plays popular dance records most of the time during the 24 hours it is on the air and is identified with recorded dance music in the same manner that WQXR is known for recorded classical music.

The agreement between WHN and Ascap was not unexpected because that station is controlled by Loew's which, in turn, controls the Robbins-Miller-Feist catalogues, affiliated with Ascap. Neither WHN nor WNEW has actually signed contracts with Ascap but formal closing is expected within 24 hours. Both stations are reported to be seeking extra concessions not found in the proposed Ascap contract for that class of station.

Informed quarters yesterday stated that many independent stations all over the country which rely on recorded popular music have been waiting to see how the New York independents would go, and yesterday's move may have an important effect.

At WHN it was stated definitely that if an Ascap contract were consummated there would be no tieup with BMI while nothing definite on BMI was disclosed by WNEW.

At WMCA nothing definite concerning either BMI or Ascap could be settled, it was said, because of the still muddled ownership situation.

Buy Canadian Station

TORONTO, Dec. 26.—Radio Station CKCH, privately owned broadcasting unit of Hull, has been purchased by the Syndicate d'Oeuvres Sociales, publishers of *Le Droit,* French-Canadian daily newspaper of Ottawa. The purchase price is understood to have been $40,000.

Theatre Changes

Hamrick to Build Theatre

SEATTLE, Dec. 26.—A new theatre in Bremerton, Wash., U. S. Navy Yard city near Seattle, to cost $300,000 and to seat 1,500 persons, is planned by Hamrick-Evergreen theatres. The house will be built by the Osran Theatre Company, a subsidiary of Evergreen circuit.

Plans Ontario Theatre

TORONTO, Dec. 26.—N. A. Taylor of Toronto, general manager of 20th Century Theatres, Ltd., has announced that a site has been purchased in Chatham, Ont., where the company will erect a Century Theatre to seat 700 people and costing $75,000.

Open in Baltimore Jan. 15

BALTIMORE, Dec. 26.—Opening of the new Mayfair Theatre is scheduled for Jan. 15. It was formerly a legitimate house, the Auditorium. The house is owned by C. W. Hicks, who already operates the Bridge and Hampden Theaters here and will seat over 1,000.

To Remodel Iowa House

DES MOINES, Dec. 26.—The Varsity Theatre Corp., headed by E. M. Garbett, which recently bought the Marion Theatre at Marion, Ia., in partnership with Ed Lorenz, who is manager, has closed the theatre for a $20,000 remodeling job and plans to reopen early in December.

Named Assistant Manager

PITTSBURGH, Dec. 26. — Wallace Held, formerly an usher in the Fulton Theatre, has been appointed assistant manager of the Barry by Manual Greenwald, manager.

Fox Midwest Closes House

KANSAS CITY, Dec. 26.—Fox Midwest has closed the Zimm theatre at Winfield, Kan. Hugh Siverd is Fox manager at Winfield, where the circuit operates the Regent.

Toronto Union Hits Operators' School

TORONTO, Dec. 26.—The Toronto District Labor Council, through W. P. Covert of the Toronto operators' union, has protested the action of the Ontario Government in creating a school for projectionists in which candidates will take a 12 months' course in payment of a fee of $100 under the direction of Provincial instructors.

Covert declared there was no shortage of qualified projectionists and that the union would be embarrassed by the turning out of new operators who, themselves, would not be able to obtain employment.

Union Official Injured

PROVIDENCE, Dec. 26.—Fred Newcomb, stagehands' union secretary here, suffered a fractured elbow today when he fell while working on the Strand Theatre marquee. His injury will keep him at Rhode Island Hospital several days.

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 126 NEW YORK, U. S. A., MONDAY, DECEMBER 30, 1940 TEN CENTS

U. S. Moves to Widen Probe In Music War

Investigating in Phila.; May Act on Publishers

By BERTRAM F. LINZ

WASHINGTON, Dec. 29. — The Department of Justice is widening its investigation of the music war beyond the planned indictments of Ascap, BMI, NBC and CBS, it was indicated over the weekend as Federal agents arrived in Philadelphia to study the situation there. Licensees other than radio stations are being questioned.

Music publishers may be included in the investigations, it is understood, as well as radio organizations in addition to those which the Government has announced it plans to prosecute on criminal charges.

Thurman W. Arnold, assistant U. S. Attorney General, on Friday dispatched six agents to Philadelphia to determine whether Ascap has violated the anti-trust laws in its licensing methods. It is understood that this investigation will center on places of amusement, as the agents disclosed

(*Continued on page 8*)

M-G-M Sets 37 Key City Dates on 'Wind'

M-G-M has set 37 engagements on "Gone With the Wind" in key cities, starting Jan. 17, at popular prices. The film will be presented without cuts in every instance, with a running time of three hours and 45 minutes.

The Jan. 17 dates include Washington, Pittsburgh, Cleveland and Buffalo with 33 other cities to follow on Jan. 24. In the latter group are: Nashville, Boston, Providence, Springfield, Worcester, Rochester, Syracuse, Columbus, Dayton, Akron, Canton, Toledo, Houston, Evansville, Indianapolis, Louisville, Kansas City, Memphis, Bridgeport, Hartford, New Haven, Waterbury, New Orleans, Harrisburg, Reading, St. Louis, Baltimore, Norfolk, Richmond, Wilmington, London, Ont., and Toronto, Ont.

Reviewed Today

Reviews of "Romance of the Rio Grande" and "Bowery Boys" appear on Page 7. Short Subject Reviews and Critics' Quotes also are on Page 7.

BMI Stations Total 621; Ascap Gets 3 Publishers

Despite the threatened Federal criminal action against BMI, station contracts continued to come in over the weekend, and BMI announced its total of signed or pledged broadcasters now at the 621 mark.

Meanwhile, on the other side, Ascap signed the Sam Fox controlled catalogues, including Sam Fox Publishing Co., Movietone Music Corp. and Hollywood Songs, Inc., and WNEW formally ratified its previously announced intention to renew with the society.

The six latest stations joining BMI were WJJD, Chicago; WDMJ, Marquette, Mich.; WBAB, Atlantic City; KADA, Ada, Okla.; WOLS, Florence, S. C., and WFBG, Altoona, Pa. In New York City, WQXR, WOV, WBNX, WNYC and WINS, in addition to the four major stations, WEAF, WABC, WOR and WJZ, have signed with BMI while WNEW and WHN have joined Ascap. NYC also has an Ascap license.

At BMI it was stated that 250,000 compositions were available directly through BMI and over 400,000 from Sesac (European society) and American Music Publishers. It was pointed out that BMI has published 300 new popular songs in the past nine months and has contracted for an additional 150. The production schedule calls for 14 new songs weekly, it was said, while M. M. Cole and E. B. Marks wil add about 45 new popular songs

(*Continued on page 8*)

Phila. Front Breaks

Philadelphia, Dec. 29.—The local broadcasters' solid front in the music feud has broken. Four non-network stations in this area have signed with the Ascap. They are WDAS, WTEL, WIBG and WCAM in Camden, N. J. Spokesmen for the stations said they could see no reason for "carrying the torch" for the networks, and that the money issue involved was overshadowed by program and other considerations.

Chaplin Named U. A. Montreal Manager

ST. JOHN, N. B., Dec. 29.—Charles S. Chaplin, United Artists manager here for the past five years, has been appointed branch manager at Montreal in the realignment of the company's Canadian sales staff. George Heiber, former office manager of the local exchange, has been named branch manager succeeding Chaplin.

N. Y. Critics Vote 'Grapes of Wrath' Best Film of 1940

"The Grapes of Wrath," produced by 20th Century-Fox from the John Steinbeck novel, has been voted the best picture of 1940 by the New York Film Critics.

The newspaper reviewers determined their selections in the fifth annual awards at a meeting Friday night at the office of Bosley Crowther of the New York *Times,* president of the group.

Crowther will present the awards next Sunday evening at a cocktail party given by the Film Critics in the Rainbow Room in Rockefeller Center.

The best foreign film in the opinion of the critics was "The Baker's Wife," French production.

Direction Award to Ford

The best direction award went to John Ford for his work on "The Grapes of Wrath" and "The Long Voyage Home."

The award for the best performance by a masculine player was given to Charlie Chaplin for his work in "The Great Dictator."

The best feminine performance was voted that of Katharine Hepburn in "Philadelphia Story."

A special award was made to Walt Disney, Leopold Stokowski and their associates for "Fantasia."

Pictures which were rated high in the voting by the critics were "The Long Voyage Home," "Our Town,"

(*Continued on page 7*)

House Fails to Open In Labor Dispute

DETROIT, Dec. 29.—The scheduled opening Friday night of the new $350,000 Royal Theatre failed to take place and 3,000 patrons were turned away at the door. The management distributed printed statements informing persons who came to the theatre that two union operators paid $105 a week refused to work unless a stagehand is employed at $78 a week. The management claims there is no need for such a man and the union contends that one is needed for maintenance.

British Money Distribution To Arbitration

Method of Allocating $12,900,000 in Dispute

While heads of the eight major companies have agreed on $12,900,000 as the amount which may be withdrawn from Great Britain during the 12 months ending next Oct. 31, the method of distributing this amount is in dispute.

At a meeting of the M.P.P.D.A. board of directors on Friday, it was agreed to submit this matter to arbitration as soon as possible. An arbitration decision is expected before the end of February.

Will H. Hays, president of the M.P.P.D.A., following the meeting made formal announcement that the currency agreement with the British Government had been closed.

The board adjourned to next Thursday. The proposed five-year extension of Hays's contract as president did not come up at the meeting.

Arbitration of the allocation method for the British currency resulted from M-G-M's contention that the amounts which the individual companies have available for remittance in England,

(*Continued on page 7*)

Masters Is Honored At Toronto Dinner

TORONTO, Dec. 29.—Approximately 75 Canadian film and theatre officials paid tribute to Haskell Masters at the King Edward Hotel here last night on the occasion of his departure for New York to take over his new post as Western division sales manager for United Artists next Wednesday.

Representing the United Artists home office at the testimonial dinner were James Mulvey, Eastern repre-

(*Continued on page 7*)

Year in Review

A review of the year 1940 in the motion picture industry, as recorded in the day-by-day headlines from *Motion Picture Daily,* appears in this issue, beginning on Page 4.

Personal Mention

SIDNEY R. KENT, president of 20th Century-Fox, left on Friday by train for the Coast to participate in production conferences at the studio.

•

WILLIAM F. RODGERS, general sales manager of M-G-M, left over the weekend for the Coast.

•

SAMUEL RINZLER of Randforce last week became a grandfather for the third time when a daughter was born to Mrs. Seymour Rinzler, wife of his son, at Doctor's Hospital.

•

JOSEPH BERNHARD, general manager of Warner Theatres, leaves today by train for the Coast for conferences with HARRY and JACK WARNER.

•

WOLFE COHEN, Warner district manager in Canada, returned to his Toronto headquarters over the weekend after conferring here with ROY HAINES, Eastern sales manager.

•

DAVID HEMPSTEAD, RKO producer, arrived over the weekend from the Coast for a brief vacation.

•

FRANK DONOVAN, Pathe News vice-president, is vacationing at Lake Placid.

•

JAMES MEMERY, Loew-Poli division artist in New Haven, is spending the holidays at Pepperill, Mass.

'Dictator' Banned in Buenos Aires

BUENOS AIRES, Dec. 29.—After having authorized exhibition here of Charlie Chaplin's "The Great Dictator," Mayor Carlos A. Pueyrredon banned the film. The action of the mayor was taken at the specific request of the Minister of Foreign Relations, who acted following a protest by Italian Ambassador Raffaele Boscarelli that the picture "attacked the Italian regime."

The original authorization to exhibit the film had come from the Municipal Motion Picture Advisory Commission. The film was scheduled to open on Thursday in three local houses, the Opera, Normandie and Suipacha. The management of the Opera sought the aid of the British Embassy, but it was believed doubtful that the ruling could be changed, since the decree already had been issued.

The commission has banned Warners' "Confessions of a Nazi Spy" on the ground that it is injurious to a nation with which Argentina maintains friendly relations. A previous ban had resulted in a change of title to "Confessions of a Secret Spy" and alteration in the Spanish dialogue, but it was ruled that the film remained essentially the same.

Approve "Dictator" in Colon

Charlie Chaplin's "The Great Dictator" will be shown in Colon, Panama, despite the protests of the German Minister, who sought to have the film banned. Mayor Praxedes Vasquez and the censor board ruled that the film may be exhibited, basing their decision on the principle of liberty of expression in Panama, the mayor said.

Brown Reorganizes Para. Coast Publicity

HOLLYWOOD, Dec. 29.—Reorganization of the Paramount studio publicity department started over the weekend, as George Brown took over on Friday as the new director. Five members of the staff left and three others were brought in.

Leaving the department were: Bert Holloway, news editor; William Hebert, Robert Burkhart, Arthur Powell and Robert Blewett. Engaged by Brown are: Hy Daab, who will arrive shortly from New York; Bernard Kaymins and Murphy McHenry. Other replacements are to be announced later.

Farnol Is Honored At Cocktail Party

Lynn Farnol, whose resignation as United Artists advertising and publicity director becomes effective Thursday, was given a cocktail party by home office executives and personnel on Friday.

Farnol will leave this weekend on a trip to the South and on his return to New York, about Jan. 20, will open his own public relations office here. Monroe Greenthal succeeds Farnol as United Artists advertising and publicity head.

Among those present at the home office cocktail party were: Maurice Silverstone, Arthur W. Kelly, Bennett Cerf, Marion Kendrick, Cal Swanson, Si Seadler, Emanuel Silverstone, Walter Gould, Paul Lazarus, E. J. Peskay, James Mulvey, Arthur Silverstone, Monroe Greenthal, Al Margolies, Sam Shain, Ben Washer, Louise Phesey, Harry Kosiner, J. J. Milstein, Fred McConnell, Steve Pallos, Harry Buckley, Sam Cohen, David Griesdorf and Seymour Poe.

Nazi Films Cancel L. A. Theatre Lease

LOS ANGELES, Dec. 29.—Showing of German pictures is a "means of fomenting hatred, criticism and enmity," the Superior Court here decided Friday in upholding the right of two theatre owners to cancel a lease.

The owners, Dr. Peter Riccardi and Roger Rogers, cancelled Franz K. Ferenz' lease, charging he had shown German films supplied without cost by the German Consulate.

'Virginia' Opening For British Relief

The Canadian Maple Leaf Fund, a British war relief unit, operating here, will sponsor the opening of Paramount's "Virginia" at the Paramount Theatre on Broadway the night of Jan. 28. A substantial portion of the theatre's seats will be allocated for this cause and will be sold at advanced prices.

Donald Reilly Killed

LIMA, O., Dec. 29.—Donald Reilly, 27, manager of the local Warner Theatre, was killed instantly when his automobile struck a telephone pole near here late last week.



DELUXE

Cesar Romero, as the Romeo of the rackets, sets the vogue for what the well-dressed man will wear for the well-known ride.

TALL, DARK and HANDSOME

20th's natural! . . . loaded with laughs! thrills! tunes!

20th CENTURY FOX

Play by Elmer Rice Opens Here Tonight

The Playwrights Company will present a new play by Elmer Rice, "Flight to the West," tonight at the Guild Theatre. The cast includes Betty Field, Arnold Moss, Hugh Marlowe, Paul Hernried and Constance McKay. Rice also directed.

Frohman Services Held This Morning

Funeral services will be held at 11 o'clock this morning for Daniel Frohman, dean of American producers, at the Little Church Around the Corner, 1 East 29th Street. Burial will be private.

The body remained at the Universal Chapel, 52nd Street and Lexington Ave., until yesterday. Frohman died on Thursday at the age of 89.

Honorary pallbearers, as announced by the Actors Fund of America, of which Frohman was president for many years, will include:

Lee Shubert, Gilbert Miller, Marcus Heiman; the following executive officers of the Actors Fund, Walter Vincent, Sam Scribner, Robert Campbell and Charles Dow Clark; George Cohan, Arthur Hopkins, Monty Woolley, Dr. Nicholas Murray Butler, William Gaxton, Victor Moore, Mayor Fiorello H. La Guardia, Stanley Howe, Harry Sommers, Burns Mantle, George C. Tyler, Frank Gillmore, William A. Brady, Gene Buck, Bill Robinson, Otis Skinner, former Mayor James J. Walker, Brooks Atkinson and Fred Stone.

Adolph Zukor, chairman of the Paramount board, sent a message of condolence to Etta Frohman, sister of the late producer. The message said in part: "His friendly cooperation and advice were of inestimable value both to Paramount and to the entire motion picture industry."

Lichtman, Hyman In Today for Parleys

Al Lichtman, vice-president of Loew's and M-G-M studio executive, and Bernard H. Hyman, production executive, are due here today to confer on product plans with Nicholas M. Schenck, president, and other home office officials.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, Boone Mancall, manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.


WHEN IS NEW YEARS??
It's every day ...with 20th!
Happiness begins with
"CHAD HANNA" IN TECHNICOLOR
You do your bell-ringing with
PAUL MUNI in "HUDSON'S BAY"
Champagne flows for showmen with
"TALL, DARK AND HANDSOME"
You really celebrate the day you play
"WESTERN UNION" IN TECHNICOLOR
And the entire industry will be dating things from
"TOBACCO ROAD"
. . on the screen at last!
20th CENTURY FOX

Headlines Review the Motion Picture Year

January

Jan. 2.—Neely Bill and radio regulatory measures face action by new session of Congress. David Sarnoff calls 1939 "radio's biggest year." Motion Picture Daily publishes news headlines of 1939.

Jan. 3.—U. S. Supreme Court approves RKO reorganization order. Holiday grosses set 10-year Broadway record. United Artists to contest Samuel Goldwyn's releasing deal with Warners.

Jan. 4.—James Roosevelt signs release deal with United Artists. B. & K. rejects "Gone With the Wind" terms; picture to play two independent Loop houses. RKO sees seven-year reorganization ended by Feb. 1.

Jan. 5.—Baltimore Federal court dismisses Westway anti-trust suit against major companies; upholds sales methods. R.F.C. denies loan to Grand National, precipitating crisis for company. Douglas Fairbanks' will retains his United Artists stock for his estate.

Jan. 8.—Central Trades and Labor Council, New York, opposes Neely Bill. Grand National creditors obtain bankruptcy order for company.

Jan. 9.—Mayor La Guardia asks industry to produce a minimum of 125 features yearly in New York. 20th Century-Fox plans 52 features for new season schedule. Half of new RKO stock is subscribed for by creditors; Atlas Corp. to take remainder.

Jan. 10.—Industry executives question practicability of establishing large-scale production in New York. W. Ray Johnston, Monogram president, and Scott R. Dunlap, production head, given three-year contract extensions by company.

Jan. 11.—William Bioff, I.A.T.S.E. studio labor head, indicted for tax evasion by Los Angeles Federal grand jury. Grand National closes doors; property auction planned. New York ticket brokers agree on code regulating ticket surcharge.

Jan. 12.—Extradition of William Bioff asked by Illinois on six months jail sentence which the Hollywood labor leader never served. French film industry near standstill due to war.

Jan. 15.—First week's gross of 1940 in 159 key theatres is largest in two years.

Jan. 16.—Industry executives to face oral examination by U. S. Attorney General's office in anti-trust suit. British production activity cut 60 per cent by war.

Jan. 17.—Federal Judge Henry W. Goddard will have jurisdiction over Government's anti-trust suit trial against industry.

Jan. 18.—Federal court at Buffalo denies Government order to restrain Schine Circuit from further expansion. Walter Wanger elected president of Academy of M. P. Arts & Sciences.

Jan. 19.—Federal court orders termination of RKO reorganization. Defendant companies in Government anti-trust suit will oppose examination of their officers by Government.

Jan. 20.—Darryl Zanuck, in New York for "Blue Bird" premiere, heartened by exhibitor tendency to accord outstanding pictures longer playing time; sees tendency aiding in overcoming foreign revenue losses. Al Steffes, exhibitor leader, stricken in Washington.

Jan. 22.—Schine Circuit plans further expansion on heels of court victory over Government. Michigan exhibitors ask F.C.C. to end radio giveaways.

Jan. 23.—Treasury Department makes public motion picture salaries. Universal plans 43 features for new season. Paramount considers fewer features for new season than in previous years. Sam Dembow returns to Paramount in theatre executive post.

Jan. 24.—M-G-M plans 52 features for new season. Columbia opposes examinations of its officers by Government in Federal anti-trust suit. Screen Actors Guild opposes Neely Bill.

Jan. 25.—Department of Commerce report on industry seen as basis for consent decree in settlement of Federal anti-trust suit. Paramount to reduce new season production schedule to 34 features on own lot.

Jan. 26.—Formal end of RKO reorganization effected. Universal reports 1939 profit of $1,153,321.

Jan. 29.—Japanese market in danger of being lost to American films. Warners report first quarter profit of $642,129.

Jan. 30.—Major companies agree on formula for sharing $17,500,000 of exportable British revenue.

Jan. 31.—Neely bill Congressional hearings set for March. Industry doubts Government anti-trust trial can start May 1, as scheduled. Annual Quigley Awards showmanship competition held at Astor.

February

Feb. 1.—Major companies cite losses; to ask I.A.T.S.E. studio unions to rescind 10 per cent wage increases. Educational Pictures files voluntary petition in bankruptcy.

Feb. 2.—Balked in his negotiations to release "The Westerner" through another company, Samuel Goldwyn notifies United Artists he will deliver the picture to it. Cold wave throughout South cuts grosses 15 per cent. Ray Bell and Lige Brien win Quigley Showmanship awards.

Feb. 5.—Major company defendants lose court move to prevent Government from examining company executives. Warners will release product of outside producers.

Feb. 6.—Large screen television in color shown; reveals high standard of technical progress. Y. Frank Freeman elected president of Association of M. P. Producers.

Feb. 7.—Screen Actors Guild renews efforts to develop a centralized performers' union for all entertainment branches. Major companies oppose adverse film legislation in Brazil.

Feb. 8.—Anti-Ascap bill introduced in New York legislature.

Feb. 9.—Industry agrees on proposal to withdraw $17,500,000 from Britain, leaving equal amount "frozen" there. F.C.C. to investigate "Pot o' Gold" broadcasts for possible violations of lottery laws.

Feb. 13.—M. E. Comerford left estate of $2,000,000. National Economic Committee report shows insurance companies' theatre holdings.

Feb. 14.—Federal Judge Henry W. Goddard rebukes Government attorneys for handling of anti-trust case preliminaries in ruling in favor of Columbia on answers to its interrogatories. I.A.T.S.E. studio unions warn producers they will not relinquish 10 per cent wage increases.

Feb. 15.—Major companies win additional time for answering Government interrogatories in Federal anti-trust suit. Storms hit New York grosses.

Feb. 16.—Samuel Goldwyn files new suit over his United Artists releasing contract. Producers fail to reach agreement with I.A.T.S.E. studio unions on revocation of 10 per cent wage increases.

Feb. 19.—Foreign revenue losses of industry increase. Company defendants file answers to Government interrogatories. J. J. Nolan named head of RKO studio.

Feb. 20.—Four A's aids drive to build stage show unions.

Feb. 21.—Screen Writers Guild attacks Neely bill.

Feb. 23.—"Gone With the Wind" grosses $9,000,000 in first two months. Ascap drafts new contracts for radio broadcasters.

Feb. 26.—Walt Disney Prod. plans $3,800,000 stock issue for expansion.

Feb. 27.—Major company defendants win preliminary victory in Government's Nashville anti-trust suit. Newspaper Film Critics of America vote "Goodbye, Mr. Chips" the best picture of 1939.

Feb. 28.—Single feature bills lack support in Chicago trial. Sweden "freezes" industry cash in that country. Conciliation boards are successful in Canadian trial.

Feb. 29.—Government attorneys express fear its witnesses in anti-trust suit will be "intimidated." Film writers claim wage injustices following survey.

March

March 1.—Academy of M. P. Arts & Sciences makes known its 1939 award winners.

March 4.—Television plans large appropriations to win new audiences. 20th Century-Fox sets new season production budget of $30,000,000 for 52 features.

March 5.—Federal Judge John C. Knox discloses possibility of a settlement of the Government anti-trust suit against the industry. France imposes embargo on currency withdrawals by film companies.

March 6.—M.P.T.O.A. advances suggestion for film booking legislation which would correct industry objections to Neely bill. Federal court discounts Government's "fears" that its witnesses will be intimidated; denies "protective" order.

March 7.—Government lists 550 witnesses in 300-page reply to defense interrogatories. Fred Lange, Paramount European manager, sees lean years ahead for films abroad after war.

March 8.—Maurice McKenzie, veteran M.P.P.D.A. executive, resigns to go into retirement; is succeeded by Francis S. Harmon. Predict postponement of Neely bill hearings.

March 11.—Federal court estimates trial of Government anti-trust suit may take two years.

March 12.—Assistant Attorney General Thurman Arnold discounts possibility of a settlement of industry anti-trust suit; asserts no criminal prosecutions contemplated by Government.

March 13.—David Sarnoff predicts RCA's television relay system between New York and Philadelphia will be ready by 1941.

March 14.—Quigley Awards luncheon held in Hollywood. Samuel Bronston forms new producing company with Charles M. Schwab financing reported.

March 15.—Consent decree settlement of Government anti-trust suit is foreseen.

March 18.—Universal reports profit more than double preceding year's; reelects directors.

March 19.—Consent decree settlement of Government anti-trust suit depends upon solution of theatre divorcement demand.

March 20.—Herbert Wilcox plans production of British war benefit film in Hollywood; RKO to distribute at cost. Adolph Zukor and John W. Hicks, back from tour of South America, report business gains.

March 21.—Britain's film quota laws will continue for another year. Alexander Korda will transfer production activities from London to Hollywood.

March 22.—Efforts continue to devise consent decree for settlement of Government anti-trust suit. Ascap discloses new contract terms for broadcasters; networks balk at increases. Universal executives purchase large stock holdings of R. H. Cochrane, former president.

March 25.—Settlement of Government anti-trust suit viewed as deciding fate of Neely bill, too. United Artists plans 30 features budgeted at $29,000,000 for new season.

March 26.—Consent decree discussions progress as possibility develops that Government will not insist upon theatre divorcement. Will H. Hays assails efforts to require theatre divorcement and the Neely bill in his annual report to M.P.P.D.A. Applications for RKO reorganization allowances aggregate $1,732,984.

March 27.—Metropolitan projectionists win 15 per cent wage increase from circuits.

March 28.—Darryl F. Zanuck and Joseph M. Schenck to get new five-year contracts from 20th Century-Fox.

March 29.—Delay beyond May 1 in starting trial of Government anti-trust suit is predicted. Nebraska anti-Ascap law declared unconstitutional.

April

April 1.—Disagreements between Government and defense attorneys on arbitration setup under a consent decree threaten to prevent settlement of Federal anti-trust suit. Major company defendants win second preliminary court victory over Government in New York Federal court hearing.

April 2.—Easter holiday grosses are Broadway's biggest in years. RKO plans 50 features for new season.

April 3.—Floods hurt theatres in four states. Only slight chance for Congressional vote on Neely bill this session seen.

April 4.—Annual sales conventions being delayed to await further developments on settlement of Government anti-trust suit which might alter selling practices. United Artists withdraws resignation from M.P.P.D.A.

April 5.—Government lists 100 of its witnesses for trial of Federal anti-trust suit.

April 8.—Four companies seen favoring consent decree in Government suit, four opposed. American companies pledge production of 30 features annually in Britain. Lou Diamond, Paramount short subjects head, dies.

April 9.—British to continue quota on footage basis despite American companies' plea for monetary basis. L. J. Ludwig resigns Minnesota Amusement Co. post.

April 10.—Senator Neely introduces theatre divorcement bill. Extension of European war costs American companies the Scandinavian markets.

April 11.—One month's postponement to June 1 of trial date for Federal anti-trust suit to be asked.

April 12.—Introduction in Senate of Neely theatre divorce bill seen as no bar to negotiations for settlement of Federal anti-trust suit.

April 15.—20th Century-Fox plans 52 new season features and production budget of $27,000,000. Gabriel L. Hess, long M.P.P.D.A. attorney, dies. Spyros Skouras urges higher admission prices.

April 26.—American banks provide $3,600,000 of new financing for Alexander Korda's production activities in U. S.

April 17.—See Neely bills dead in Congress this session. Paramount's Du Mont Laboratories acquires big interest in Majestic Radio & Television Corp. 20th Century-Fox board votes Darryl Zanuck new five-year contract and stock options.

April 18.—Fox West Coast anti-trust suit to be settled. Use of television forecast as factor in film exploitation work.

April 19.—Sidney R. Kent traces development of affiliated theatre organizations in Government anti-trust suit quiz. Monogram plans 50 new season films.

April 22.—Trial of Government anti-trust suit postponed from May 1 to June 3; Assistant Attorney General Thurman Arnold foresees no settlement following hearing.

April 23.—Assistant Attorney General Thurman Arnold tells Senate judiciary subcommittee Department of Justice will not accept a consent decree in the film anti-trust suit because Allied States does not want one.

April 24.—Exhibitors named as prospective Government trial witnesses state they will not testify. 20th Century-Fox asks dismissal for 16 named as defendants in Government anti-trust suit.

April 25.—New Jersey exhibitor brands independent circuits worse competitors than affiliated circuits in pre-trial examination for Government suit.

April 26.—United Artists to establish "preselling" organization in field. Ascap's 1939 collections estimated at $6,000,000.

April 29.—Dates for annual sales conventions set as evidence piles up Federal anti-trust suit can not affect new season's sales policies. Paramount reports 1939 profit of $2,737,533.

April 30.—B. & K. and Paramount held liable for violation of Federal consent decree in Chicago special master's report. "Rebecca" gets sixth week at Radio City Music Hall, setting all-time run record for house.

May

May 1.—Balaban & Katz defense strong in consent decree hearing. Bonwick succeeds Loach at Pathe.

May 2.—Parleys reported opened in Rome for resumption of Italian trade. U. S. attorneys shift offices to New York for Government suit trial preparation.

May 3.—Theatres face fight with World's Fair at the box-office. Hopes of short trust suit trial seen fading.

May 6.—U. S. in sudden move asks Griffith Oklahoma trust suit be dismissed. RCA assails film interests' actions on television in report filed with FCC.

May 7.—RKO seeking loan to obtain Meehan stock in company. Loew's 28-week profit $6,789,828, gain of $420,981.

May 8.—Appeal is aim of U. S. request for dismissal of Oklahoma suit. Greenthal to head United Artists national "pre-selling bureau." Gold and Schlaifer to retain U.A. posts. Goldwyn sees end of block booking as boon.

May 9.—Sales heads cooperate in conciliation, Coast exhibitor meeting is told. DuMont claims RCA is clouding the television situation.

May 10.—Metro will have to cut its product by 25 per cent if the Neely bill passes, William F. Rodgers tells exhibitors. Neely bill backers to shorten testimony to bring early vote. Theatre pools defended by Nate Blumberg.

May 13.—Universal to release 45 features next season. Seek method of speeding Neely bill hearings. Industry faces loss of Belgium, Holland markets.

May 14.—Proponents of Neely bill call block sales pillar of monopoly at House committee hearing. U.A. plans 22 features from 13 producers next season.

May 15.—Neely bill faces hostile quizzing in House committee. Balaban's salary at

Consent Decree Was Highlight of the Year

Paramount $236,635 in 1939. Selznick rules out blind selling on his pictures.

May 16.—Myers rushes to defense of Neely bill. Paramount reduces debt by $17,000,000, votes common dividends. English trade about normal despite crisis. Goldwyn backs Gallup poll on duals.

May 17.—Research Council paying expenses of Neely bill supporters. United Artists producers discuss national circuit idea. N. M. Schenck defends trade sales policy in Government suit pre-trial examination.

May 20.—Columbia to release Government film on maternity care. M-G-M plans total of 52 features next season. Universal accounts pass 10,000 total.

May 21.—Talk of trust suit settlement still persists. Neely bill will be aid to business, hearing is told. Allport quits Rome with no action taken on trade resumption.

May 22.—Proponents of Neely bill admit enactment might force production costs up 100 per cent. Seven major companies withdraw $15,000,000 under British agreement.

May 23.—Pettijohn warns of higher costs and admissions in world crisis, in leading opposition to Neely bill. Inclusion of 25,000 actors in one union is proposed to 4-A.

May 24.—Neely bill committee demands full data on cost and operation of Hays office. Paramount to offer 45 to 50 next season.

May 27.—Neely bill passage would ruin overseas market, Herman Wobber warns committee. Paramount to sell more on percentage.

May 28.—Television is not yet ready, FCC rules; commercialization delayed. RKO features to total 53 next season. RKO retains Gallup for survey of film audiences.

May 29.—A. W. Smith, Jr., named sales manager of RKO. Frank Freeman warns Neely bill passage will cause cut in production. Republic sets 58 films, four serials next season.

May 31.—Admission tax exemption at 30 cents is asked. Kuykendall scores aims of Neely bill at hearing.

June

June 3.—Government trust trial against major companies starts today. Studio cost revision is underway.

June 4.—U. S. demands end of "monopolies" as trial opens in New York. Joseph M. Schenck to face trial under income tax indictment.

June 5.—U. S. victory in suit would mean monopoly, former Judge Thacher tells court. Columbia lists 35 or 44 new season films. Neely bill decision expected by end of week.

June 6.—Block booking is defended at trial of Government suit. House group will revamp Neely bill. Kuykendall urges a rise in admission on big pictures. Liberal sales terms promised by Columbia.

June 7.—U. S. opens trial evidence today. Key city price increase urged by Spyros Skouras. Warner asks all employes to combat "Fifth Column."

June 10.—Decision on settlement of trust suit is believed near. Lenox Lohr resigns as president of NBC, effective July 12. Warners set 50 features next season.

June 11.—Federal Judge Goddard asks that "every effort" be made to settle trust suit. Producers bar wage increases because of war.

June 12.—Government authorizes talks on suit settlement. Screen pays $1,100,000 for 18 new plays during season. Nick and Weston indicted in St. Louis under new Federal labor racket law.

June 13.—Report current in Montreal that British studios may move to Canada. Suit defendants insist on no theatre divorcement. FCC report clears webs on monopoly.

June 14.—U. S. formula on proposed consent decree calls for sales reforms. James C. Petrillo of the Chicago music union to be head of the American Federation of Musicians.

June 17.—Expect one-week postponement of trust suit here. Senate is expected to adopt new admission tax schedule.

June 18.—End of block booking is aim of Allied States this year. Senate approves new levies on admissions from 10 cents.

June 19.—Floyd B. Odlum declares in favor of theatre divorcement. No shortage of product seen by Frank Freeman of Paramount; Paramount earnings rise. Studios face tieups over office strike.

June 20.—Allied insists on divorcement in suit settlement. British industry must raise $10,000,000 in extra taxation. Booking bill faces delay in House committee.

June 21.—Government suit cost is estimated at $1,250,000; suits against circuits off pending New York decision. British face increase of 100 per cent in film taxes.

June 24.—Congress passes new Federal admission tax of 10 per cent with exemption at 20 cents. Allied sees reforms from consent decree talks.

June 25.—New York theatres to pass new tax on to the public. Progress seen in third week of suit talks.

June 26.—New tax rules outlined for exhibitor guidance. Trust laws handicap Allied attempted solution of duals problem. See Nazi films as threat to U. S. trade position on the Continent.

June 27.—Trade prepares to meet new tax. Defense investigation of witnesses begun in trust suit.

June 28.—New season's selling now in full swing. Broadway houses raise admission for Federal tax. Majors cease shipments to Continental Europe.

July

July 1.—See 75 per cent of foreign revenue lost through war. 1938 industry salary list led by Louis B. Mayer's $688,369.

July 2.—Theatre patrons pay new defense taxes willingly. Ban on right film shipments repealed. Attorneys in trust suit approve arbitration.

July 3.—U. S. seeks ban on blind buying through screenings. Television boom is expected in the Fall.

July 5.—Philadelphia music strike goes to Petrillo. U. S. fighting Nazi films in South America. U. S. Appeals Court reverses Goldwyn-U.A. suit dismissal.

July 8.—British Embassy clarifies war status of British actors in Hollywood. Salary cuts and banning of duals recommended by Edward Small.

July 9.—Allied yields divorcement point in Government suit. U. S. charges Schine monopoly in 37 cities in bill of particulars.

July 10.—Price cut in Chicago costs Oriental Theatre a film as RKO cancels booking. U. S. declares no help needed on suit, answering exhibitors' pleas. Reels deny Willkie overemphasized.

July 11.—U. S. charges "freezeout" of competitors by Schine Circuit. British quota plan is attacked as inadequate. NBC to televise Democratic convention.

July 12.—Separate peace with "Big 5" seen through consent decree. War impels cuts in RKO reorganization fees, says Schaefer. Gus Schaefer named RKO Northeastern district manager.

July 15.—RKO to reduce expenditure on cooperative ads. U. S. pursues "peace plan" with "Big 5." Niles Trammell new president of NBC.

July 16.—War benefit costs Canadian theatres loss of $300,000. Fifty television stations seen by next year.

July 17.—Expect first draft of consent decree ready by end of week. British permit use of foreign funds to purchase films in England.

July 18.—"Boom Town" to be sold with request that exhibitors increase admissions. Nazis ban all unapproved films in occupied areas. First draft of decree may be delayed.

July 19.—Enabling law considered in peace pact with "Big 5." Frank C. Walker may become Postmaster General. Eastern group takes I.A. on Coast. Quigley and Kaltenborn discuss radio responsibility.

July 22.—U. S. consent decree draft is ready for settlement of suit. New York Allied joins national M.P.T.O.A. Nicholas M. Schenck outlines Loew's policy of high quality.

July 23.—Box-office slumps throughout the country as the mercury soars. Tax revenue in fiscal year up to $21,887,916. Adjourn trust trial to Oct. 7.

July 24.—Paramount theatre partners oppose draft of consent decree. Warners plan "Sea Hawk" trade shows. Propaganda has no place on screen, says Sol Lesser.

July 25.—Paramount holds key to completion of consent decree. Cancellation is preferred by exhibitors, says Kuykendall.

July 26.—Decree changes under way. Theatre men given voice in working out details. Ask Labor Act exemption for top studio employes.

July 29.—Heat across country leaves grosses limp. Universal gets five-year loan of $1,500,000. Agreement on decree changes expected this week.

July 30.—Four companies may make peace in Government suit without Paramount. Grosses slump to 40 per cent of normal in record heat.

July 31.—Warners to decide position on decree today. Fred Lange sees U. S. films cut to 20 per cent of normal in Europe.

August

Aug. 1.—Paramount theatre partners to meet on consent decree. RKO asked to limit triple bills in Chicago. Paramount six-month net profit is estimated at $3,000,000.

Aug. 2.—Arbitration of decree would bar "bootleg" theatres. Henry Ginsberg named vice-president of Paramount. Pennsylvania faces Sunday film fight.

Aug. 5.—Peace between Government and "Big 4" up to Sidney R. Kent; others concur. Studio survey is under way for "M-Day" call.

Aug. 6.—Kent studies new draft of consent decree; Paramount still undecided. Metro product banned by Nazis on the Continent of Europe. Court voids Florida anti-Ascap statute.

Aug. 7.—Circuits weigh five-year "protective" film deals. Universal completes retirement of British loans. Decree decisions due this week.

Aug. 8.—Kent and Balaban reject decree for 20th Century-Fox and Paramount, respectively. Block-of-sales chief target of independents on consent decree.

Aug. 9.—Consent decree plan is seen abandoned. Special plans worked out for exhibition of Charlie Chaplin's "The Great Dictator." Gallup poll shows public opposed to duals. Nazi films thrive here.

Aug. 12.—U. S. to get revised draft of consent decree this week. "Boom Town" test runs high at increased admissions.

Aug. 13.—U. S. may yield to Kent and Balaban on consent decree. Loew's to hold jobs for all men called to serve country. Studios plan broadcasts to South America.

Aug. 14.—U. S. gets Kent's counter proposals on consent decree. "Boom Town" to play at higher scales in 2,000 theatres. To release "The Great Dictator" about Sept. 15.

Aug. 15.—Government rejects 20th Century-Fox decree terms and warns Paramount. Nazis insist Metro quit occupied areas. M.P.T.O.A. may call mass meeting on decree.

Aug. 16.—U. S. ultimatum seen as killing chances of decree. Houses along Broadway enjoying boom. Monogram plans to move home office to Hollywood in Fall.

Aug. 19.—Government makes new peace overtures to "Big 5." Bondy grants $638,000 in allowances for RKO services. Universal asks cut in proposed profits tax.

Aug. 20.—Peace in Government suit with three companies seen. Films are called vital to growth of television.

Aug. 21.—Toronto exhibitors protest delay in releases. Weigh compromise with "Big 5" on consent decree. British circuits set higher price scale.

Aug. 22.—"Big 5" accord is seen near as formula for suit peace is set. "Fantasia" to be roadshown in 12 cities, beginning with New York in November.

Aug. 23.—U. S. and "Big 5" reach agreement in principle on decree. David Selznick forms own film company, dissolving Whitney partnership.

Aug. 26.—Nazis order Paramount out of Germany. Drafting of arbitration system under decree gets under way.

Aug. 27.—Circuits set three-year deals with Universal and Columbia. FCC Chairman Fly urges adopting studio facilities for television. RKO six-month profit is $220,819.

Aug. 28.—Hearings called for exhibitors to present views on decree. American companies may be forced out of Japanese market. Circuit heads to capital on national defense.

Aug. 29.—London discussions open on new monetary agreement with American companies. Independents will demand cancellation in decree at Washington hearing.

Aug. 30.—Attorney General Jackson and Thurman Arnold approve Government suit consent decree in principle. Paramount will continue policy of 32-36 features through 1941-'42.

September

Sept. 3.—Exhibitors open fight on decree. Urge court scrutiny of radio giveaway shows. Directors ask George Skouras to stay as head.

Sept. 4.—Exhibitors tell Arnold they don't want decree. English film houses defy Nazi raiders. *Times* lauds Frank Walker as postmaster.

Sept. 5.—Government may drop block-of-five provision. CBS demonstrates color television to press. Columbia net up to $512,185 for year. Settle Philadelphia-Warner musician strike.

Sept. 6.—N. Y. Allied to seek end of block-of-five. Universal earnings seen at $2,025,000 for year.

Sept. 9.—Independent exhibitors intensify decree fight. U. S. guarding against films from abroad. Ralph Beal sees television in theatres within a year.

Sept. 10.—U. S. to seek legislation making trade shows compulsory. Delays seen for television commercially. Final decree draft preparation begun. Universal fourth quarter profit $253,196.

Sept. 11.—Acceptable decree is hope of exhibitors. London theatres start 9 P.M. curfew. Sunday shows win favor of Equity council.

Sept. 12.—Legal draft of decree expected to be ready. Reallocations fixed for U. S. radio stations. Cohen says exhibitors have right to intervene in trust suit.

Sept. 23.—Study decree possibilities in other trust actions. AFRA accepts mediation on sustaining show pay.

Sept. 16.—Nationwide drive for higher prices is plan of circuits. Arbitration boards under decree will be permanant. London production program continues.

Sept. 17.—Decree stands without basic changes. SAG seeks television jurisdiction. Screen, radio cooperate in U. S. defense program.

Sept. 18.—U. S. probes decree "sabotage move." Film purchase of play rights revived. Good play shortage seen hampering stage season.

Sept. 19.—Jackson gets decree draft for approval. Columbia wins vital point in Schine action. Total gross at Radio City Music Hall was $4,000,000 for season. Stockholders vote new Cohn contracts at Columbia.

Sept. 20.—Paramount seeks settlement of Government B. & K. case. Free political time row harries networks. Nick, Weston guilty in St. Louis.

Sept. 23.—U. S. will revise B. & K. decree. Circuits defer decision on price rises. British trade bears up but 50 houses are closed. Agreement reached on purchase of play rights by film companies.

Sept. 24.—M.P.T.O.A. plans "finish fight" on block-of-five. Revenues of 705 radio stations at $89,990,646. Tax revenue rises 150 per cent.

Sept. 25.—Universal in new deal on currency. Defense unit ordered for radio. Advisory plan on arbitration is abandoned.

Sept. 26.—"Dictator" terms 70-30 per cent; expect $10,000,000 gross. British trade adjusts itself to blitzkrieg.

Sept. 27.—U.A. and Columbia may fight decree. Myers asked to call Allied meeting. Coast independents offer program replacing decree.

Sept. 30.—Industry needs exhibitor aid, says Rodgers. Ralph Hanbury, English RKO head, killed by bomb. Myers endorses U. S. decree. U.A. to show "Dictator" in two theatres in key cities.

October

Oct. 1.—92.4 per cent of exhibitors opposed to block-of-five, according to MOTION PICTURE DAILY test poll. U.A. to launch "Dictator" in England now.

Oct. 2.—Decree hearing may be delayed. General price rise opposed by Rodgers.

Oct. 3.—Reach final agreement on decree form. 600 in trade honor Quigley at Ampa lunch.

Oct. 4.—Five companies are authorized to sign decree. Early Sunday openings for London asked. A.F.L. studio drive to organize 5,000 starts in two weeks. NBC leases Washington television studios.

Oct. 7.—"Big 5" chiefs leave for Washington meeting on decree. Royal in new NBC post as planning head. Schaefer denies Willkie short release is withheld.

Oct. 8.—Congressmen get pleas on decree.

(*Continued on following page*)

Academy Branches Name New Directors

HOLLYWOOD, Dec. 29.—The Academy of Motion Picture Arts and Sciences has elected members of the board of directors for four of its branches. The vote for members representing the Technicians Branch resulted in a tie, necessitating a special election.

The Actors Branch named: Edward Arnold, Rosalind Russell and James Stewart; writers elected: Howard Estabrook, Jane Murfin and Robert Riskin; directors named: Frank Capra, Frank Lloyd and Sam Wood, and producers elected: Y. Frank Freeman, David O. Selznick and Walter Wanger.

The first meeting of the new board has been set for Jan. 7, when the new officers will be named. The new vote of the technicians will be completed by then. The Academy members also approved minor revisions to the by-laws and articles of incorporation.

Harley at Lisbon Awaiting Passage

Francis Harley, managing director for 20th Century-Fox in England, is at Lisbon awaiting accommodations by clipper plane or boat to come to this country for home office conferences.

It is understood he plans to conduct business here also on behalf of the British Council and Anglo-United States Ambulance Association. Word from London indicates that he intends returning to his post there in February.



2nd Revision Sixth Edition

EVERY THEATRE NEEDS THE BLUEBOOK!

■ Be prepared for that unexpected breakdown. Richardson's Bluebook is now supplemented with detailed trouble-shooting charts. It is your assurance of ready remedies, quick repairs and better projection.

$7.25 POSTPAID

QUIGLEY BOOKSHOP

ROCKEFELLER CENTER, NEW YORK

Year's News in Review

(*Continued from page 5*)

Drama guild pact draft on film play backing is finished. Arnold sees 10-year trial without pact.

Oct. 9.—Further delay seen on decree. Foreign air shows to be probed by U. S. 20th Century-Fox set on schedule.

Oct. 10.—U.A. joins opposition to consent decree. AGVA pact provides for pay rises. U. S. will aid British films if currency is adjusted. Stations ban publicity on Fascist films.

Oct. 11.—Kuykendall to protest on decree to U. S. Adjustment of upstate trade problems set. Hays pledges films' full support to U. S. defense.

Oct. 14.—Decree peace assured; all obstacles removed. "Gone With the Wind" grossed $1,160,000 at two Broadway houses. Paramount-Warner deal off in Philadelphia.

Oct. 15.—Broadway has best weekend of new season. Myers asks decree views of exhibitor leaders. See settlement of Paramount-Warner dispute.

Oct. 16.—See decree ready by end of month. Kelly heads U.A. domestic distribution. Broadway hails "Dictator" premiere.

Oct. 17.—See $100,000 gross for "Dictator" at Capitol. Three major theatres close in London.

Oct. 18.—Films chief entertainment at army posts. Court upholds broadcasters' rights to ban "Reds." Rodgers condemns triple bills at Chicago meeting.

Oct. 21.—Only Columbia opposes decree. Paramount may go to court on "Flames" ban. Maurice A. Bergman appointed advertising manager for 20th-Fox.

Oct. 22.—Lawyers to ask decree delay. "Dictator" rules Broadway with $119,000 take. Kuykendall attacks Allied. Schless named Warner foreign manager.

Oct. 23.—Seek highest type citizen as arbitrator. NBC returns television to air Oct. 25. British trade halts Army plan on films for troops.

Oct. 24.—Allied reverses Myers on consent decree stand. Publicity unit closed shop sought here. Hays to meet Kennedy on British pact. Rockefeller lauds films' aid in Pan-American drive.

Oct. 25.—Department of Justice studying decree. Broadcasting by candidates hits grosses. Universal, Columbia and United Artists ready to oppose amended complaint in trust suit.

Oct. 28.—Decree to court without changes. Air attacks on London close 100 theatres. DuMont starts its telecasts.

Oct. 29.—Attorney General Jackson approves decree. Decree terms to dislocate sales methods. Metro against screen use of short wave.

Oct. 30.—Court to hear decree objections Nov. 14. 273 English houses shut by air raids. Text of Government statement on decree with digest of decree text.

Oct. 31.—Paramount partners may not oppose consent decree. Box-offices feel effects of air talks. Local trust suits await outcome of N. Y. suit.

November

Nov. 1.—Budget $580,000 for arbitration. Decree will drive out independents, says Max Cohen. Frozen cash sought for British films. Committees named for coordination of defense work.

Nov. 4.—Companies' suit cost $2,500,000. Changes made in decree text and arbitration. Equity sets Sunday show start. Paramount nine-month profit at $4,810,000.

Nov. 6.—Election sends grosses down. Loew 1939-'40 net estimated at $8,850,000. RKO 39-week net is $317,186.

Nov. 7.—Final arbitration budget $490,000. Sunday shows approved by 44 Pennsylvania towns.

Nov. 8.—Ticket tax rise foreseen as U. S. seeks new funds. Strong fight by exhibitors seen on decree. David Lipton named Columbia advertising and publicity head.

Nov. 11.—All existing contracts called illegal. Parties spent $1,781,174 for radio time. Fairbanks' U.A. stock valued at $500,000.

Nov. 12.—Columbia will oppose new U. S. complaint. W.B.-Sparks Florida rift widens.

Nov. 13.—U.A., M.P.T.O.A., Paramount partners, join in opposing decree. Drama Guild approves film play backing. "Noble experiment," says Disney of "Fantasia."

Nov. 14.—Pact opponents represent 98 per cent of nation's theatres. Lack of studio space brings English crisis. Screen Publicists Guild claims majority in all major companies. Wobber sees defense spending as box-office aid.

Nov. 15.—Court decision on pact expected Monday. Church report warns against indecent films. Map film markets into 31 districts for arbitration. Local critics praise "Fantasia." Final arbitration budget at $465,000.

Nov. 18.—Exhibitor groups foresee "flood of suits" in decree. Ten television stations get FCC authorization. NBC and CBS briefs attack FCC report on web control. Edmund C. Grainger heads Shea circuit.

Nov. 19.—Arbitration cost low for theatre. Price cut urged to aid Sunday plays.

Nov. 20.—U. S. decree will bring regional release system. Offer to buy stock of two U. A. owners. Break between actors and musicians seen imminent. Greenthal appointment as advertising and pubility head at U. A. confirmed.

Nov. 22.—Goddard signs decree; effective now in part. Thanksgiving box-office up over country. Van Vechten Veeder named chairman of national appeal board.

Nov. 25.—Arbitration set to start at once. See new sales formula necessary under decree. Warners report $2,747,472 net. Tax total trebles in four months of low exemptions.

Nov. 26.—Sunday plays fail to hurt pictures. Opposition to decree flares on two fronts.

Nov. 27.—50-50 terms likely for "Gone With the Wind." 3,000 studio workers claim extra salaries. Neely bill hopes fade. M.P.T.O.A. hints law suits better than arbitration. N. Y. censor made 926 cuts in 1,762 films.

Nov. 28.—U. S. dismisses citations on Fox West Coast decree. MOTION PICTURE DAILY greets radio's 20th anniversary. Committee to guide arbitration system headed by Paul Felix Warburg.

Nov. 29.—U. S. studies decrees for local cases. Television network seen need by NBC. Northwest Allied in drive to improve attendance. Pathe Film nine-month net $215,188.

December

Dec. 2.—$12,800,000 seen as British withdrawal. Masters is slated as U. A. Western head. Universal's net estimated at more than $2,000,000. Mexico to aid film industry.

Dec. 3.—Master urges dismissals in B. & K. decree. O'Shea named new M-G-M division head. Patterson to be on A.A.A. board, Hazen on budgets. London theatre business 25 per cent of normal, says Rose.

Dec. 4.—U. A. aims for 15 to 20 films for 1941-42. Musical films escape radio ban on Ascap. Confirm 50 per cent terms on "Wind." U. A. to ask 50 per cent on "Dictator."

Dec. 5.—Columbia ready to attack decree. Government is asked to open British studios. Columbia quarter profit rises to $153,878.

Dec. 6.—U. S. decree may go to high court. Holdover on Broadway beat cold and snow. Gotshal and Leidesdorf will aid arbitration.

Dec. 9.—20th Century-Fox aims to avoid disputes. Bombs close 320 British houses. Exhibitor attack on decree fades.

Dec. 10.—See no product shortage under new sales system. Broadway houses at near capacity. Warner revenue up 50 per cent, meeting told. Ascap ban to high court. BMI takes 20,000 titles.

Dec. 11.—Decree may end U. S. Ascap action. U. S. court will approve B. & K. peace. See broadcaster-Ascap peace talks as futile.

Dec. 12.—Budgets set for regional arbitration. Ascap-BMI fight intensified. Loew's, RKO sign AGVA pact.

Dec. 13.—Theatres warned on tax evasions. Industry vital, Walker tells Variety Club. Universal to buy $1,000,000 of its preferred stock.

Dec. 16.—"Big Five" may add 20 salesmen. "Little 3" plan suit attack. Ascap 1940 gross is record $7,000,000.

Dec. 17.—Affiliates to benefit from franchises. U. S. seeks to revise Ascap license basis. Petrillo lifts ban on Army bands. Work being completed on 18 arbitration field units.

Dec. 18.—BMI-Ascap war spreading. No blanket draft exemptions for actors. Decree is step to U. S. rule, says Kuykendall.

Dec. 19.—Jan. 1 music fight showdown appears certain. RKO may make only 40 films due to decree.

Dec. 20.—U. S. to dismiss "Big 5" in Crescent case. Jack Benny leads radio stars of 1940 in MOTION PICTURE DAILY'S fifth annual poll. Music battle centers on stations as four go to Ascap. 500 honor O'Shea and Bowen at testimonial luncheon. U. A. sales staff re-aligned.

Dec. 23.—American companies reach agreement on withdrawal of $12,900,000 from Great Britain during 12 months ending Oct. 31, 1941. Ascap completes plans for "policing" the air after radio contracts expire Dec. 31.

Dec. 24.—American Arbitration Association prepares schedule of maximum fees for arbitrators to keep costs to exhibitors low. CBS plans Latin American network. Walt Disney Prod. reports loss of $1,259,798 for year ending Sept. 28, 1940.

Dec. 26.—Ascap and Government plan anti-trust actions against Broadcast Music, Inc., and major networks. M.P.T.O.A. urges exhibitors to formulate plans for mediation of trade disputes before resorting to arbitration.

Dec. 27.—Mickey Rooney named box-office champion of year by nation's exhibitors in Motion Picture Herald-Fame poll. Government announces intention of filing criminal anti-trust action against B. M. I., NBC, CBS and Ascap in Milwaukee after Jan. 1. Daniel Frohman dies.

$1,400,000 Financing For 13 W. B. Houses

YORK, Pa., Dec. 29.—Refinancing of 13 Warner theatres and other properties was disclosed when a mortgage for $1,400,000 was filed with the Recorder of Deeds for York County.

The mortgage was given to the Equitable Life Assurance Society. Posted as collateral were the Capitol, Rialto and Strand, all in York, the Lyon in Red Lyon and nine theatres elsewhere in the state .

A mortgage for $1,000,000 had been held against the theatres by Louis J. Appel as individual and trustee and executor of the estate of Nathan Appel, former owner of York houses. The mortgage, later was reduced to $600,000, but increased when transferred to Equitable. The interest rate, however, was reduced from 6 per cent on the previous mortgage to 4½ per cent on the new lien.

New Haven Theatres Set New Year Shows

NEW HAVEN, Dec. 29.—The Loew-Poli, Roger Sherman, and Paramount, largest of the downtown houses, will have midnight New Year's Eve shows, with the Paramount exclusively offering a stage presentation in the downtown area. The Roger Sherman and Loew-Poli will have a 50 to 75-cent admission scale, the Roger Sherman changing at 6 o'clock to advanced prices, and the Paramount will charge $1.10 all seats.

Late Shows in Baltimore

BALTIMORE, Dec. 29.—New Year's Eve will find midnight shows in all of the first run theatres here. Keith's Theatre announces it will remain open all night.

Plan Milwaukee Bill To Check Coin Films

MILWAUKEE, Dec. 29.—Alderman T. E. Wedemeyer plans to introduce in the Common Council shortly an ordinance regulating coin machine films, which are slated to make their appearance in the county shortly after Jan. 1.

Vic Manhardt Co., Inc., here, holds Wisconsin distribution rights for Mills Panoram Soundies and expects to place about 125 of the machines in the county during the coming year. Wedemeyer's ordinance would license distributors of the machines and would be designed to prevent racketeering and the showing of questionable pictures, it was said.

Short Subject Reviews

"The Great Meddler"
(M-G-M)

Here is the story of Henry Bergh who, in the middle of the 19th century, started the Society for the Prevention of Cruelty to Animals and the subsequent Society for the Prevention of Cruelty to Children. An excellent subject for a tieup with either of these two organizations. The reel tells of Bergh's early struggles for recognition and his successful battle for his humanitarian principles. Running time, 11 mins.

"Sea for Yourself"
(M-G-M)

A Pete Smith "Specialty," this pictures a new sport, underwater harpoon fishing. With a small oxygen mask over the nose and eyes, swimmer goes below the surface to spear his fish rather than hook them. The reel ends with a dramatic rescue by two of the swimmers of a companion trapped in a cave beneath the water by a giant fish. Running time, 10 mins.

"You, the People"
(M-G-M)

How election machines operate to deprive the people of a free vote is described in this "Crime Does Not Pay" subject. A typical city is shown with the grafters and racketeers in control of the city hall. Methods of coercing campaign contributions, stuffing ballot boxes and persuading citizens that voting if of no use are portrayed. It should hold considerable interest. Running time, 21 mins.

"Mrs. Ladybug"
(Ising—M-G-M)

A clever and colorful animation, this cartoon tells of the adventure of a mama ladybug who has her problems with a brood that is numbered in the scores. She finally advertises for a maid and a wily spider disguises himself as a colored mammy and almost succeeds in gobbling up the whole family. Running time, 8 mins.

'Grapes of Wrath' Voted Best Film

(Continued from page 1)

and "Night Train," English film which opened Saturday at the Globe.

Behind the leader in the best direction classification came Preston Sturges for his work on "The Great McGinty," Sam Wood for "Our Town" and William Wyler for "The Letter."

The second and third choices for best masculine performances were James Stephenson, for his work in "The Letter," and Thomas Mitchell for his performance in "The Long Voyage Home." Martha Scott was the second choice for the best feminine performance of the year, for "Our Town."

"The Fight for Life," produced by the U. S. Government Film Service, and "London Can Take It," short subject produced by the Ministry of Information of the British Government, tied for the special award.

Feature Reviews

"Romance of the Rio Grande"
(20th Century-Fox)

SOL M. WURTZEL has produced a lively, action-full screenplay with Cesar Romero as the "Cisco Kid" and Patricia Morison and Lynne Roberts as the two beautiful senoritas on a rich old Spanish ranch in Arizona. Based on the novel, "Conquistador," by Katherine Fullerton Gerould, it is a tale of mixed identities, intrigue, hard riding and much gun play.

When Romero finds the heir apparent to the ranch dying after an attack in the desert, he also discovers that he is an exact double for the heir. Deciding to have some adventure, and possibly some loot, he goes to Pedro de Cordoba, the elderly ranch owner, disguised as de Cordoba's grandson.

He is welcomed there by all except Ricardo Cortez and Miss Morison, who had hoped to get the ranch for themselves. He discovers that Cortez is robbing the ranch and finally decides to help the ranch owner, rather than rob him. Meanwhile, Cortez finds the real heir who is being nursed back to health by a friend of Romero, and the real trouble begins.

Herbert I. Leeds directed while Harold Buchman and Samuel G. Engel prepared the screenplay.

Running time, 72 minutes. "G."* EDWARD GREIF

"Bowery Boy"
(Republic)

DENNIS O'KEEFE, Louise Campbell, Jimmy Lydon, Helen Vinson and Roger Pryor enhance this unpretentious production of a story about the tough boy in a poor environment whose behavior kinks eventually are ironed out with a little kindness.

The settings are effective and tend to give the film an appearance of authenticity in its depiction of a slum district in New York City.

O'Keefe is a public health doctor assigned to a clinic in that section; Miss Campbell, a nurse and his assistant; Lydon, a young tough who finally repents for past misdeeds; Miss Vinson, the rich girl who has designs on O'Keefe, and Pryor a produce racketeer who causes an epidemic with tainted food. All perform well.

The film is of the type which is most adaptable to showing in neighborhood theatres.

Running time, 71 minutes. "G."*

** "G" denotes general classification.*

Critics' Quotes . . .

"COMRADE X" (M-G-M)

Guaranteed to make everyone, with the exception of the local Communists and their friends and fellow travelers, laugh until their sides ache.—*Kate Cameron, New York Daily News.*

The Capitol is in for many money-making days as a result of booking this absolutely mad and screwy bit of fun.—*Lee Mortimer, New York Daily Mirror.*

The show should do big business, but my verdict is that it is a scrambled and generally unsatisfactory entertainment.—*Howard Barnes, New York Herald Tribune.*

Lacks an even comic pace, and as a consequence it has its ups and downs.—*Bosley Crowther, New York Times.*

The result, while entertaining enough, is genuinely funny only in spots.—*Newsweek.*

"LOVE THY NEIGHBOR" (Paramount)

Audiences have always been made for such a picture . . . should make first rate entertainment for this season.—*Minneapolis Tribune.*

Has the good fortune to be just about as hectic and amusing as you might expect it to be . . . should do a very healthy box-office business.—*Robert E. Murphy, Minneapolis Star Journal.*

As entertainment, it is a shrewd and successful job aimed at the great audience that admires either Jack Benny or Fred Allen or both and has some idea what their microphonic feud is about.—*Newsweek.*

Friends of the Benny-Allen feud will undoubtedly relish the opportunity of watching as well as hearing the pair's celebrated ruction.—*Time.*

"CHAD HANNA" (20th Century-Fox)

The appeal of this popular Edmonds novel lay in its realistic characters, earthy humor and honesty. In the transfer to the screen these vital qualities have been preserved but the picture, like the original, is not particularly exciting.—*Wanda Hale, New York Daily News.*

If the plot is light and mediocre, it does have its moments and its laughs. The sawdust background is interesting if not original.—*Lee Mortimer, New York Daily Mirror.*

British Money Distribution To Arbitration

(Continued from page 1)

rather than the annual average gross business done by the companies, should be the basis for determining each company's share of the $12,900,000.

Other company officials said they were satisfied with the method of distribution in effect last year, which based the division on the gross business. However, they agreed to submit M-G-M's contention to arbitration.

Pending a decision, the companies will make November, December, January and February withdrawals on the same basis as last year. Should the arbitration decision be in M-G-M's favor, it has been agreed that the proposed method would be retroactive and the withdrawals up to the time of the decision would be adjusted accordingly.

Friday's meeting, at which Hays presided, was the second session of the regular fourth quarterly meeting of the M.P.P.D.A. board. Those present were: Nicholas M. Schenck, Loew's; Sidney R. Kent, 20th Century-Fox; Barney Balaban, Paramount; George J. Schaefer, RKO; Maurice Silverstone, United Artists; Joseph H. Hazen, Warners; Charles D. Prutzman, Universal; Abe Schneider, Columbia, and Frederick L. Herron, M.P.P.D.A.

Masters Is Honored At Toronto Dinner

(Continued from page 1)

sentative for Samuel Goldwyn; David Griesdorf, Eastern representative for James Roosevelt, and Seymour Poe, assistant to Arthur W. Kelly, United Artists vice-president in charge of domestic distribution.

J. J. Fitzgibbons, vice-president of Famous Players-Canadian, was chairman and toastmaster of the dinner. Speakers included L. M. Devaney of RKO, on behalf of Canadian distributors; N. L. Nathanson, head of Famous Players Canadian, on behalf of the industry as a whole; Nat Taylor, representing independent exhibitors, and Edmond Frankel, on behalf of personal friends of Masters. A gift of silverware was presented to Masters.

The committee in charge of the testimonial included: Oscar Hanson, Louis Rosenfeld, Ben Geldsaler and Frankel. Others present included: James P. O'Loughlin, president of the Motion Picture Distributors Association; Clair Hague, president of the Canadian Picture Pioneers, of which Masters is a director; M. A. Milligan, Wolfe Cohen, and A. W. Perry, representing major distributors; Colonel John Cooper, chairman of the Motion Picture Distributors; R. W. Bolstad, T. J. Bragg, Jack Arthur, Sam Bloom, Sam Fine, Sam Sternberg and Raymond Allen.

Select Closes Deal

Select Attractions, Inc., has closed a deal with Harry Brown of Standard Film Co., to distribute 11 Select films in the New York metropolitan area.

U. S. Moves to Widen Probe In Music War

(*Continued from page* 1)

they intended to question leading night club owners who have complained against Ascap.

This was said to be an upshot of the filing of numerous cases by Ascap in the Federal courts to collect fees from places where music is performed, including theatres.

BMI Has Bearing

The Government's intention to seek indictments in Milwaukee against Ascap, BMI and the two major networks, as disclosed last week by Arnold, was described by capital spokesmen as advancing plans made some time ago to survey the entire music-radio situation shortly after BMI swung into operation.

The Department of Justice, it was said, plans to investigate the situation late in January or early in February when the results of BMI's activities will be more apparent. The Department has been closely following all developments in the Ascap-broadcasters dispute.

Representatives of BMI have made it known that they intend to confer with Arnold to clarify their position and purposes to the Department of Justice.

Jury Action Soon

Meanwhile, the Federal District Attorney in Milwaukee is expected to move soon after Jan. 6 for the planned indictments, with the impaneling of a grand jury.

The threat of action in the Wisconsin city has been hanging over Ascap's head for some time. It is believed to have been one of the factors inducing the "appeasement" group in the society to attempt negotiation of a consent decree to end the six-year-old New York anti-trust case. Such a settlement would have forestalled the criminal prosecution now proposed.

Stations in BMI Increase to 621

(*Continued from page* 1)

each month. About 50 BMI tunes have been recorded.

The two most popular BMI songs, "Practice Makes Perfect" and "There I Go," have sold 170,000 sheets and 17,000 orchestrations, and during the past week, BMI sheet music sales totaled 32,446, it was said.

The Cole and United Music catalogues will provide 20,000 cowboy, hill-billy and folk songs, it was claimed. As for Latin American music, it was said that 65,000 rhumbas, congas and tangoes were controlled by BMI affiliates, and that these comprised more than 95 per cent of all such music and some 90 per cent of all records of this type.

It was said that 4,000 records and 9,000 numbers on transcription will be available to broadcasters after Jan. 1.

Off the Antenna

SINCE few of the new FM stations are ready to go on the air Jan. 1 with the recently authorized higher powered transmitters for full commercial operation, the FCC has granted a 60-day extension for experimental operation. The new transmitters were authorized only two months ago and few will be ready when the first of the year comes around. The commission granted the extension in foreseeing the possibility that FM stations might have to go off the air entirely. However, it was made clear that those experimental stations which are going commercial would not be permitted to start sponsored programs with their present limited coverage and new transmitters will have to be installed before any revenue can be derived.

• • •

Purely Personal: *Jeanne Campbell, head of Mutual's music copyright department, is ill at the Boulevard Hospital and is not expected back at her desk for several weeks. . . . S. F. Woodell, advertising manager for Packard Motors Export Corp., will join the NBC international short wave division's sales staff Jan.* 15. . . . *Harold Barlow, conductor of the Columbia Symphony Orchestra, has been named conductor of the Baltimore Symphony Orchestra for the second year. . . . Kenny Baker and Beatrice Kay will be guests of Raymond Paige on "Musical Americana" over NBC-Red Thursday at* 10:30 *P.M. . . . Raymond Massey will be heard on "We, the People" over CBS tomorrow at* 9 *P.M.*

• • •

"Your Happy Birthday," now a sustaining show, on Friday will go commercial with Axton-Fisher Tobacco Co. as sponsor, over the NBC-Blue. Each week a birth date and a Congressional district are chosen, and persons residing in the district whose birthdays fall on the selected date receive $1,000. Jimmy Dorsey's band will be featured.

• • •

Program News: *Xavier Cugat will replace Bob Crosley on the Camel show Thursday, Jan.* 9 *at* 7:30 *P.M. over NBC-Red. Yvette will be the vocalist and Bert Parks master of ceremonies. . . . Beginning Friday, Brown & Williamson will sponsor "Discoveries of* 1941" *on NBC-Blue. Bobby Byrnes and his orchestra will provide the music, Alan Kent will be master of ceremonies, and each week some new performer with real possibilities will be featured.*

• • •

Bill Neel, night editor and editor of the daily NBC news sheet, was promoted over the weekend to head the Washington publicity office of the network. Bill Norris, trade news editor, will resume his post as night editor, while Charles Pekor, who handles commercial programs, will take over trade news in addition to present duties. Irene Kuhn has joined the press department to handle special features.

'Fantasia' to Open On Coast Next Month

HOLLYWOOD, Dec. 29.—Walt Disney's "Fantasia" is scheduled to open some time in January here. A decision will be made this week on the theatre, to be either the Carthay Circle or El Capitan. The latter is a legitimate house. Charles Braden, Disney publicity man, is here to prepare the advance campaign.

Pair in New RKO Series

HOLLYWOOD, Dec. 29.—RKO has decided to feature Alan Mowbray and Donald McBride in a new series of four films dealing with stage life. They have appeared in "Curtain Call" and are now working in "Show Business." They will appear in the same characters throughout.

Improve Mexico Station

MEXICO CITY, Dec. 29.—Radio Station XEB here, of 10,000 watts power, is getting new equipment. It has sent its chief engineer, John B. Gross, to New York to make the purchases. The station is owned by the Buen Tono Cigarette Co.

Vallee Heads Slot Firm

HOLLYWOOD, Dec. 29.—Rudy Vallee has announced his association as president with the Vis-O-Graph Corp. of America, new slot machine film company. W. H. Kemble is vice-president.

Speers Appointed Joseph's Assistant

HOLLYWOOD, Dec. 29.—John Joseph, Universal advertising and publicity director, has appointed Robert Speers as his assistant, effective Jan. 13. Speers was for two years with the Paramount publicity department.

Writ on Marlene Dietrich

Forrester-Parant Productions on Friday filed a writ of attachment in N. Y. Supreme Court on $2,000 due Marlene Dietrich for a Sealtest radio broadcast on Dec. 2. The action is in connection with a $98,450 breach of contract suit pending against the actress. The attachment is directed at Sealtest and McKee & Albright, agents.

Authors Sue M-G-M

A suit charging that their play, "Jane Brady, Editor," was plagiarized in M-G-M's "Murder Man" was filed Friday in N. Y. Supreme Court by Stephen Van Gluck and Joseph Eisinger against M-G-M, Edward E. Cohen, Guy Bolton and Tim Whelan.

Robert Kohn Resigns

Robert Kohn, former general manager of the 55th Street Playhouse, Fifth Avenue Playhouse and Thalia theatres, has resigned to become associated with the publicity firm of Guild and Goodman.

Mutual 1940 Gross Seen at $4,500,000

With 50 stations added to the Mutual network during the past year, it was estimated over the weekend that total gross billings would reach $4,500,000 for 1940 as compared with $3,329,782 for the previous year.

Total number of affiliates is now 168 as compared with 118 on Dec. 31, 1939.

A total of 1,848 special events was broadcast during the year. The special features division presented 820 programs devoted to spot news, features, sports broadcasts and talks, consuming 378 hours and 35 minutes, while 1,028 programs, consuming 206 hours and 57 minutes, came from abroad. During the critical days from May 10 to 12, 21 of the 60 broadcast hours were devoted to description and discussion of the invasion of the low countries.

FCC Sets Tentative Dates on Hearings

WASHINGTON, Dec. 29.—The Federal Communications Commission has asigned tentative dates for hearings after the first of the year on a number of broadcasting applications.

It announced that on Jan. 27 it would hear the application of Edward J. Doyle for a new 1,340-kilocycle, 1,000-watt station at Rochester, N. Y., and the request of Station WSAY of that city for a change of frequency from 1,210 to 1,340 kilocycles and increase of power from 250 to 1,000 watts.

On Jan. 30 it will hear the contesting applications of the Paducah Broadcasting Co., Inc., and William D. Hudson and Violet Hutton Hudson for a new 1,370-kilocycle, 250-watt station in Clarksville, Tenn. On Feb. 12 the contesting applications of Herbert L. Wilson and Community Broadcasting Corp. for a new 1,310-kilocycle, 250-watt station in Middletown, N. Y., will be heard, and on Feb. 14 the application of Station WJDS, Beckley, W. Va., for change of frequency from 1,210 to 900 kilocycles and increase of power from 250 to 1,000 watts.

Legion Approves Five New Pictures

The National Legion of Decency for the current week has approved all of the five new pictures reviewed, three for general patronage and two for adults. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Code of the Fearless," "Lucky Devils," "Two-Gun Troubador." Class A-2, Unobjectionable for Adults—"South of Suez," "Victory."

Gloria Jean Is Sued

Gloria Jean Schoonover, child film actress known as Gloria Jean, and her parents, Ferman H. and Eleanor E. Schoonover, are defendants in a $525,000 breach of contract suit filed in N. Y. Supreme Court by William Lustig. He claims breach of a 10-year management contract made in 1938 under which he allegedly was entitled to 10 per cent of her income.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 48. NO. 127 NEW YORK, U. S. A., TUESDAY, DECEMBER 31, 1940 TEN CENTS

Fight to Finish Due as Music Deadline Nears

Many Infringement Suits Are Anticipated

With midnight tonight the zero hour on Ascap music over the air, both sides appear ready for a finish fight. Ascap will have listening posts around the country to check on infringements, and BMI also plans to keep a watchful eye to prevent infringement of its music.

It is generally believed that a large number of suits will be started immediately after tomorrow for unauthorized broadcasts of music, although the networks and stations have taken elaborate precautions to prevent such claims.

Agency executives expressed confidence that they would be able to continue their programs without Ascap music. Among those voicing this view were Erwin, Wasey & Co., J. Walter Thompson, N. W. Ayer & Sons, Inc., and Lennon & Mitchell, Inc.

One amusing aspect in the situation was that BMI claimed to have the only copyrighted song among New Year's Eve favorites, "There'll Be a Hot Time in the Old Town Tonight."

(*Continued on page* 4)

Myers to Address Pennsylvania Allied

PHILADELPHIA, Dec. 30.—Abram F. Myers, Allied States general counsel, is scheduled to address the annual meeting here of Eastern Pennsylvania Allied on Jan. 14. Plans for an evening banquet to follow the meeting were cancelled when many members indicated that it would be impossible to get away for both events. Sidney E. Samuelson, business manager of the local Allied unit, heads the committee preparing for the meeting, marking the third year of the organization here.

Reviewed Today

"The Invisible Woman" and "Keeping Company" are reviewed from Hollywood on Page 3.

Mexican Police to Guard 'Dictator'

Mexico City, Dec. 30.—Under a strong police guard, the Palacio Chino, local theatre that suffered from Nazi outbreaks during the recent showing of "Pastor Hall," is to open "The Great Dictator" on Wednesday.

The Police Department warned that it will not tolerate any annoyance by Nazis in local theatres.

Mexican Film Total For 1940 Hits New Low Record of 22

By JAMES LOCKHART

MEXICO CITY, Dec. 30.—Mexico rounded out 1940 with a picture production total of 22, the lowest number of films to be made in any year since Mexican producers began to make talking films 10 years ago. However, the 1940 output was a little higher than had been looked for. It had been estimated that this year would end with only 19 pictures completed.

Three films were rushed to completion during December, thanks to money their makers were able to obtain by great effort during the first 10 days of the month.

The 1941 prospects for production continue cloudy as the producers are still engaged in controversy with Enrique Solis, secretary-general of the cinematographic workers' union.

ATLAS BUYS PART OF MEEHAN STOCK

$4,000,000 Deal for KAO Holdings Calls for Outright Purchase of Less than Half, With Short Option Taken on Balance

Part of the M. J. Meehan shares of Keith-Albee-Orpheum preferred stock was sold yesterday to Atlas Corp., which already owns a substantial portion of the outstanding stock of RKO, parent company of KAO. At the same time, Atlas Corp. obtained a short-term option, believed to be for 90 days, on the remaining Meehan shares.

The entire transaction, when concluded, will cost Atlas about $4,000,000, officials said. The portion of Meehan shares which Atlas Corp. purchased outright is less than half of the outstanding shares owned by Meehan. The entire Meehan holdings prior to this deal are said to have amounted to approximately 30,000 shares of preferred.

The stock purchased by Atlas Corp. is subject to the terms of a voting trust whereby representatives of Meehan will continue to exercise voting rights for an extended period of time (about five years) if the option is not exercised. The voting trust is controlled by the Meehan interests. The deal was closed at the offices of Atlas Corp. in Jersey City. Representing Meehan was Monroe Goldwater of the law firm of Goldwater & Flynn.

By this transaction, Atlas, according to officials, has strengthened its own interest in RKO, particularly in the event of any future consolidation move. A recent management move for such a consolidation whereby the First National Company of Boston was prepared to underwrite the

(*Continued on page* 3)

Scollard Appointed Agnew's Assistant

C. J. (Pat) Scollard has been named executive assistant to Neil F. Agnew, vice-president in charge of sales at Paramount. Scollard has been with the company the past two years, performing special duties for Barney Balaban, president. Scollard, who has been sitting in on the advertising department for the past few months, will assume his new post on next Monday.



C. J. Scollard

Appointment of Scollard is looked

(*Continued on page* 3)

Brandt Takes 'Box-Office Poison' Tag from Hepburn

Katharine Hepburn, who received "top billing" in Harry Brandt's "box-office poison" list two years ago, was restored to good standing by the circuit head yesterday. "I'll play Hepburn and 'The Philadelphia Story' gladly," he said.

According to Howard Dietz, M-G-M director of advertising and publicity, Brandt's change of heart may be attributed directly to "the reports on the pre-release engagement of the new Hepburn picture at the Radio City Music Hall in New York where 110,168 paid admissions set a new all time attendance record top-

(*Continued on page* 3)

'Philadelphia' Sets Strong B'way Pace

Business continued strong on Broadway over the weekend despite adverse weather. Scoring outstandingly are "Philadelphia Story" at the Radio City Music Hall and "Love Thy Neighbor" at the Paramount. "Santa Fe Trail" at the Strand and "Chad Hanna" at the Roxy are also going strong.

A $130,000 week is looked for at the Music Hall, where "Philadelphia

(*Continued on page* 3)

Zukor Heads Greek War Relief Division

Adolph Zukor, chairman of the Paramount board, has accepted the chairmanship of the amusements division of the Greek War Relief campaign. John Balaban, B. & K. executive, will direct theatre participation in the drive in the Chicago area.

No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, which is New Year's Day.**

Will Tear Down Phila. Landmark

Philadelphia, Dec. 30.—The Nixon-Grand Opera House, a Philadelphia theatrical landmark for 52 years, is being torn down. For many years after its opening on April 9, 1888, the theatre was leased to the National Opera Company. Later, as the Grand Theatre, it became a vaudeville house and in recent years has been used for motion pictures.

To Honor Donaldson At New Haven Dinner

NEW HAVEN, Dec. 30.—Thomas G. Donaldson, promoted to manager of the Boston M-G-M exchange from the New Haven post, will be tendered a testimonial dinner at the Hotel Taft here Jan. 14.

Co-chairmen are Harry F. Shaw, Loew-Poli division manager, and Barney Pitkin, RKO exchange manager, Charles Lazarus is treasurer, and Maurice N. Wolfe, M-G-M district manager in Boston, will be master of ceremonies.

Handles Curtis' Duties

K. M. Cunningham, assistant to Edward P. Curtis, sales manager of the motion picture department of Eastman Kodak Co., will take over the latter's duties during his year's service as a Major in the U. S. Army Air Corps.

Personal Mention

SAM DEMBOW, JR., Paramount theatre executive, who was hurt in a recent automobile accident, is now resting comfortably at home. He is not expected to return to the office for another month.

•

A. W. SMITH, sales executive for RKO, will leave Thursday for Chicago. He is expected to return on Monday.

•

DAVE LIPTON, recently appointed advertising and publicity director for Columbia, is due here from the Coast at the end of the week to take over his new post.

•

B. B. KREISLER, Universal short subjects manager, returned yesterday from a tour of Midwest branches.

•

SAM FRIEDMAN, manager of the Capitol, Philadelphia, and MRS. FRIEDMAN celebrated their 18th wedding anniversary last week.

•

JEAN DUBARRY, manager of the Lincoln in New Haven, and MRS. DUBARRY, are vacationing here, prior to the reopening of their theatre Jan. 7.

•

TIM O'TOOLE, New Haven branch manager for Columbia, is visiting in Harrisburg, Pa.

•

B. S. MOSS, MARTIN MOSKOWITZ, J. J. MILSTEIN, ARTHUR GOTTLIEB, HAL HORNE, and JACK GOETZ having lunch at Lindy's (51st St.) yesterday.

PAUL LAZARUS, JR., of Warners advertising department is the father of a seven and one-half pound boy, born to MRS. LAZARUS on Friday at Women's Hospital. This is their second son. He will be named John Tolins. The child's grandfather is PAUL LAZARUS, SR., U. A. executive.

•

HY GORDON, manager of the Cameo, Rochester, and MRS. GORDON are the parents of a son, born last week.

•

WILLIAM MORTON, publicist at the RKO Albee, Providence, is in town.

•

J. J. UNGER, MORRIS KINZLER, SIDNEY PHILLIPS, JOHN W. HICKS, RUDY MONTGELAS, SAM SHAIN, CHARLES E. MCCARTHY, SAM GOLDSTEIN, MAX A. COHEN, LEONARD GOLDENSON, LEON NETTER, RUSSELL HOLMAN, MILTON KUSELL, MONTE GOWTHORPE, BOB WEITMAN and OWEN DAVIS having lunch yesterday at Nick's Hunting Room in the Astor.

•

J. ROBERT RUBIN, ARTHUR LOEW, AUSTIN KEOUGH, JOHN D. HERTZ, JR., JOHN BUCHANAN, NAT KARSON, LOUIS PILLIPS, ARTHUR SCHWARTZ, WILLIAM MELNIKER, MORT SPRING, DAVE BLUM and LEE SHUBERT lunching at Sardi's yesterday.

•

CHARLES C. MOSKOWITZ, MARVIN SCHENCK, JOSEPH R. VOGEL, EUGENE PICKER, MAURICE SILVERSTONE, HARRY BERNSTEIN, ARTHUR SILVERSTONE, HARRY BUCKLEY and HARRY GOLD at Lindy's (next to the Rivoli) yesterday for lunch.

•

JULES LEVEY, PAT SCOLLARD, MAURICE BERGMAN, HARRY THOMAS lunching yesterday at the Tavern.

Blofson Elected by Philadelphia Club

PHILADELPHIA, Dec. 30.—Showmen's Club, newest of the social and charitable organizations in the local film industry, elected the following officers for the new year: A. B. Blofson, star; Charles Goldfine, stand-in; Meyer Adelman, yes man; Isadore Gewertz, script man; Wilson Turner, financial script man; Sam Rosen, banker; David W. Yaffe, counsellor; and a board of producers including George Sobel, David Starkman, Charles Stiefel and Maurice H. Verbin.

Masters Arrives To Take U. A. Post

Haskell Masters, newly appointed Western division manager for United Artists, arrived here yesterday from Toronto to take over his new post. He will maintain headquarters at the home office. He has been succeeded by Sam Glazer as Canadian district manager.

Kent Arrives on Coast

HOLLYWOOD, Dec. 30.—S. R. Kent, 20th Century-Fox president, arrived today from New York and went to Palm Springs, where he will remain until Jan. 16, when he will attend conferences at the studio with other executives on next season's production.

No Elephants

Milwaukee, Dec. 30.

AN attempt by E. J. Weisfeldt, operator of the Riverside Theatre, to exploit Polack's circus, playing the house, by parading an elephant up and down the sidewalk in front of the theatre, was squelched when police invoked an ordinance which forbids theatres from using acts on the sidewalk to ballyhoo their programs.

Friends Fill Church At Frohman Service

Throngs of friends and associates overflowed the Church of the Transfiguration (Little Church Around the Corner) yesterday morning as services were held for Daniel Frohman, dean of the American theatre, who died last Thursday at the age of 89.

Stage and screen notables attended the services, conducted by the Rev. Dr. Randolph Ray, rector of the church. Eulogies were offered by Channing Pollock, the playwright; Rabbi Benjamin A. Tintner, chaplain of the Jewish Theatrical Guild; Gene Buck, president of Ascap, and Walter Vincent of Wilmer and Vincent Theatres and vice-president of the Actors Fund. Gladys Swarthout sang "The Lord's Prayer." Burial was private in Union Field Cemetery, Long Island.

Among those at the funeral were: Adolph Zukor, Katharine Cornell, Fannie Hurst, Major Edward Bowes, Sophie Tucker, A. O. Brown, Shepherd of the Lambs Club; Monty Woolley, Walter Hampden, Fred Waring, Maude Adams, George M. Cohan, Molly Picon, Otis Skinner, Lyle Talbot, Bill Robinson, Gabriel Heatter and many others.

Petters Rites Held; Pioneer Exhibitor

Funeral services were held yesterday at the Riverside Memorial Chapel for Frank Petters, 62, pioneer exhibitor, who died Friday. His widow survives. Petters operated the Osceola Theatre, Bronx, for 30 years. Years ago he was active in the affairs of the New York Theatre Owners Chamber of Commerce.



NICE GESTURE

Cesar Romero, as the Romeo of the rackets, introduces pretty touch in gangland by entertaining boys he is supposed to have rubbed out.

TALL, DARK and HANDSOME

20th's natural! . . . loaded with laughs! thrills! tunes!

20th CENTURY FOX

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone CIrcle 7-3100. Cable address, "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Watterson R. Rothacker, Vice President; Sam Shain, Editor; Alfred L. Finestone, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, manager, cable address "Quigpubco, London." All contents copyrighted 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938; at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

'Philadelphia' Sets Strong B'way Pace

(*Continued from page* 1)

Story" and a special Christmas stage show grossed an estimated $72,000 Thursday through Sunday. Yesterday's gross was estimated at $14,000.

"Love Thy Neighbor" with Tommy Dorsey's band on the stage garnered about $27,000 at the Paramount Saturday and Sunday, and is expected to finish its second week tonight with an estimated $78,000.

"Santa Fe Trail" with Abe Lyman and his band on the stage grossed an estimated $22,000 Friday through Sunday of its second week at the Strand, and yesterday's gross was expected to reach $5,000. "Chad Hanna" and a stage show gave the Roxy about $46,000 in its first five days, with about $7,000 yesterday.

"Night Train" opened strong at the Globe, grossing an estimated $3,800 Saturday and Sunday. "Here Comes the Navy," which preceded it, drew about $5,000 for the week. At the Rialto, "San Francisco Docks" will wind up the week tomorrow with an estimated $7,000.

Denies Writ Against 'U' Securities Plan

N. Y. Supreme Court Justice Morris Eder yesterday denied a temporary injunction against the Universal plan to purchase $1,000,000 of its first preferred stock. The writ was sought by Samuel I. Posen, Universal director and holder of 100 shares of common stock and 50 of first preferred, who also has filed a stockholder action against the company. The court declared that although Posen was entitled to a trial of the issues, insufficient evidence had been presented to warrant a temporary injunction.

Scollard Appointed Agnew's Assistant

(*Continued from page* 1)

upon by insiders as one of the first moves in Paramount to meet new conditions which are expected to arise because of the New York case consent decree. Scollard, it is asserted, will aid Agnew, whose appointee he is, to plan the new changes which may be decided upon.

Scollard formerly was assistant to Herbert Bayard Swope, when the latter was chairman of Keith-Albee-Orpheum at RKO and prior to that was an executive with the old FBO and Pathe companies.

Brandt Takes 'Poison' Label from Hepburn

(*Continued from page* 1)

ping any four-day period in the history of the world's largest motion picture theatre."

"When I published my list," said Brandt, "I sincerely felt that Hepburn and box-office were allergic. But perhaps some astute producer like M-G-M was not then able to present her in the type of vehicle in which her full talents flowered as they do in 'The Philadelphia Story.'"

Miss Hepburn was awarded the New York Film Critics' award for the best feminine performance of 1940.

Hollywood Reviews

"The Invisible Woman"

(*Universal*)

Hollywood, Dec. 30.

THIS is a merry melange of all types of comedy ranging from slapstick farce through the list to comedy of sophisticaiton. The story deals with the experiments of an eccentric inventor who devises a formula to make persons invisible, what occurs when he works on a pretty model, and the subsequent happenings.

Virginia Bruce as the model, John Barrymore as the inventor and John Howard as his once wealthy young backer are the principals in the cast, with Charlie Ruggles, Oscar Homolka, Edward Brophy, Donald MacBride, Margaret Hamilton, Shemp Howard, Charles Lane and Eddie Conrad supplying much of the comedy.

Associate Producer Burt Kelly, Director A. Edward Sutherland and the writers utilized every opportunity available for laughs. The model upon being made invisible flees the laboratory to take revenge on her Simon Legree employer; gangsters on hearing about the formula steal the machine for their boss, an exile in Mexico who is homesick for his adopted city, Chicago; the model can't materialize at the appointed time because of drinking too much brandy; and at the end, it is discovered that the invisibility is "hereditary." Robert Lees, Fred Rinaldo and Gertrude Purcell adapted the original story by Kurt Siodmak and Joe May.

The picture is also noteworthy for the appearance, or non-appearance, for the first time on the screen of "invisible nudity," the model first being required to divest her clothes behind a screen before the machine begins to operate. For most of the following sequences of invisibility, she is presumed not to be dressed.

Running time, 70 minutes. "G."* VANCE KING

"Keeping Company"

(*M-G-M*)

Hollywood, Dec. 30.

THE trials and tribulations stemming from the adjustments made by two young newlyweds form the subject matter of this domestic comedy, first of a contemplated series and also first production made by Samuel Marx under the M-G-M trademark.

Marx, former M-G-M and Columbia story editor, shows familiarity with material designed for universal appeal, in choice of a story containing the same ingredients of every day American existence as are present in part in the Andy Hardy series. Here Frank Morgan is seen as the father, Irene Rich as the mother of three girls, respectively portrayed by Ann Rutherford, the eldest; Gloria De Haven and the perky Virginia Weidler.

The eldest daughter, whose husband is enacted by John Shelton, has her share of emotional ups and downs as she goes through the usual misunderstandings with her young bridegroom, mainly centered about his former girl, portrayed by Virginia Grey. The screenplay by Harry Ruskin, James Hill and Adrian Scott, from a Herman Mankiewicz original, tempers these with comedy supplied by dialogue and players.

S. Sylvan Simon directed, with the picture's cast including Gene Lockhart, Dan Dailey, Jr. and Sara Haden in addition to the above.

Running time, 80 minutes. "G"* W. S.

*"G" denotes general classification.

Head Phila. Drive

PHILADELPHIA, Dec. 30.—The local film industry committee for the National Infantile Paralysis Fund Drive was appointed with Frank McNamee, former RKO exchange manager, as business manager; James P. Clark, general chairman; and committee members including Earle W. Sweigert, Sam Gross, Charles Zagrans, Sam Stiefel and Oscar Neufeld.

2 Poster Units Open

PHILADELPHIA, Dec. 30.—For the first time since National Screen Service took over National Kline Poster, two new independent poster exchanges have opened here, the Independent Poster Exchange and the Keystone Poster Exchange, the latter operated by Jack Weiss and John Schaeffer.

See Mexican Union Censor Power Cut

MEXICO CITY, Dec. 30.—At long last, the Confederation of Mexican Workers has permitted exhibition of "Scipio Africanus," the Italian film which it forebade in 1938 because it considered the picture to be Fascist. Permission for the showing of this film indicates that the Confederation will not exercise as much control in the future with regard to what films shall or shall not be screened in Mexico. "Scipio" is scheduled for exhibition here in January.

No action has yet been taken by the Confederation toward permitting screenings of "He Stayed for Breakfast" and "Ninotchka," American films which it forebade because they ridicule Communism.

27 Pictures in Work; Drop of 13 for Week

HOLLYWOOD, Dec. 30.—Twenty-seven pictures, a decrease of 13 over last week's total, were before the cameras this week, as 18, a record number, finished and five started. Eighteen are being prepared, and 70 are being edited.

The tally by studio:

Columbia

Finished: "The Return of Boston Blackie."

In Work: "Penny Serenade," "The Lone Wolf Takes a Chance."

Globe

In Work: "Pot O' Gold."

Lesser-Lubitsch

Finished: "That Uncertain Feeling."

M-G-M

In Work: "Billy the Kid," "Rage in Heaven."

Started: "Andy Hardy's Private Secretary," "The Trial of Mary Dugan," "Free and Easy."

Monogram

Finished: "Prairie Schooldays."

Producers Releasing

Finished: "Secret Evidence," "The Lone Rider Galloping to Glory."

In Work: "It Happened to Me."

Paramount

Finished: "I Wanted Wings," "The Road to Zanzibar."

In Work: "New York Town," "Las Vegas Nights," "Pirates on Horseback."

Started: "One Night in Lisbon."

RKO

Finished: "Scattergood Baines."

In Work: "They Met in Argentina," "The Devil and Miss Jones," "Show Business."

Republic

Finished: "Arkansaw Judge."

In Work: "Petticoat Politics."

Roach

Finished: "Topper Returns."

In Work: "Broadway Limited."

20th Century-Fox

Finished: "The Road to Rio," "Uncensored."

In Work: "Tobacco Road," "The "Outlaw," "Dead Men Tell."

Started: "A Very Young Lady."

Universal

Finished: "Back Street," "Six Lessons from Madame LaZonga."

In Work: "Nice Girl," "Buck Privates."

Warners

Finished: "Her Great Lie," "Knockout," "Stuff of Heroes," "Murder on the Second Floor."

In Work: "The Sea Wolf," "She Stayed Kissed."

Atlas Buys Meehan's Holdings in KAO

(*Continued from page* 1)

merger was rejected by the RKO board.

Meehan's representatives in KAO include Malcolm Kingsberg, vice-chairman, and Leon Goldberg, treasurer. KAO is the chief theatre subsidiary of RKO and is the parent company of B. F. Keith Corp.

Fight to Finish Due as Music Deadline Nears

(Continued from page 1)

Other songs, it was said, are in the public domain.

WHN and WNEW, New York stations which have signed with Ascap, will keep going all night with recordings of familiar Ascap music. CBS and NBC will not risk infringements with pickups of bands at hotels or night clubs and will have staff orchestras playing from studios instead. Mutual, on the other hand, will pick up the bands in the usual fashion.

WLW, Cincinnati, yesterday signed with BMI, thus bringing into the fold every 50,000-watt station in the country. Fourteen other independents also signed yesterday, making the total of BMI affiliates 635. BMI headquarters claimed it had three-fourths of all independent stations.

The renewal of the Ascap contract by WMCA was expected momentarily but up to a late hour last night no formal announcement of signing had been made.

Ask FCC to Intervene

WASHINGTON, Dec. 30.—Some 5,000 postcards petitioning the FCC to intervene to "end the stalemate" between the broadcasters and Ascap were submitted to the commission today by a New York committee of which Douglas Moore of the Columbia University Music Department is chairman. The cards were signed by musicians, composers, educators and leaders in the field of music and culture. The petitions were referred to the FCC legal department for determination as to whether it has grounds to act.

Four Hearings Are Scheduled by FCC

WASHINGTON, Dec. 30.—The Federal Communications Commission has tentatively scheduled four hearings on broadcasting applications for the latter part of February.

It announced that on Feb. 17 it would hear the contesting applications of Stephen R. Rintoul for a new 1,370-kilocycle, 250-watt station at Stamford, Conn., and WGNY, Newburgh, N. Y., for change of frequency from 1,220 to 1,370 kilocycles; on Feb. 19, the application of Station KFJI, Klamath Falls, Ore., for change of frequency from 1,210 to 600 kilocycles and increase of power from 100 watts to 500 watts night, 1,000 watts day; on Feb. 21, the application of Station WMBG, Richmond, for increase of night power from 1,000 to 5,000 watts, and on Feb. 24, the application of Station WTEL, Philadelphia, for change of frequency from 1,310 to 1,500 kilocycles and increase of power from 100 to 250 watts.

S. C. Exhibitor Dies

YORK, S. C., Dec. 30.—James Q. Wray, who operated a film theatre here for some time, died recently at the age of 73. Death was attributed to a stroke.

Acquires French Film

E. I. Lopert has closed a deal to distribute "Pieges," French film.

Off the Antenna

WQXR gross billings have passed the $100,000 mark with an increase of 97 per cent in 1940 over 1939, the station reported yesterday. The new 5,000-watt transmitter, installed in November, has doubled the fan mail count, it was said. The station will increase its Saturday schedule by three hours on Jan. 4 when the previous signoff between noon and 3 P.M. will be eliminated. At the same time, it was announced that Robert M. Scholle has resigned as WQXR sales manager.

• • •

Program News: *American Tobacco Co. has renewed Kay Kyser's "College of Musical Knowledge" over 113 NBC-Red stations, effective tomorrow. . . . Anacin and Bisodol have renewed for 52 weeks, effective Jan. 28, over 53 NBC-Blue stations "Easy Aces" and "Mr. Keen, Tracer of Lost Persons" on Tuesdays, Wednesdays and Thursdays. . . . Standard Brands has renewed "I Love a Mystery" over 47 NBC-Blue stations effective Jan. 6. . . . El Paso County Board of Development will sponsor a description of the El Paso Sun Carnival Parade over 10 Mutual stations tomorrow at 12:30 P.M.*

• • •

The largest listening audience ever reported heard President Roosevelt's radio address on national defense Sunday night according to a C. E. Hopper survey made for CBS. With a rating of 59, it was estimated 16,500,000 families or about 50,000,000 persons in the United States heard the half-hour talk. It was short-waved to around the world.

• • •

With the Mummers' Parade broadcast in Philadelphia on Wednesday cancelled by WIP because of the Ascap situation, W3XE, Philco's television station, will provide a view of the proceedings together with a synchronized pickup of the band music. Philco will also telecast the opening of the "Ice Follies of 1941" Friday.

• • •

Mutual, which had been relying on WGN, Chicago, for its Associated Press news, yesterday began receiving the service here direct, WOR having recently signed an AP contract. WGN is a newspaper-owned station.

Canada BMI Status Determined Feb. 12

TORONTO, Dec. 30.—At its postponed meeting in February, the Copyright Appeal Board of the Department of Secretary of State will hand down a ruling on the question whether or not an organization with a company charter may submit a schedule of proposed license fees for approval in order to exercise control of the use of its musical compositions in public performances. The meeting is now scheduled to be held Feb. 12, and, before that date the issue in the United States between Ascap and Broadcast Music, Inc., may come to a showdown.

In an official memorandum of the department references are made only to the Canadian Performing Right Society, Ltd., Toronto, which is affiliated with Ascap, but this departmental document, containing a statement of the jurisdiction and responsibilities of the board by its chairman, A. K. MacLean, was issued long before the formation of Broadcast Music of Canada, Inc.

Recognition of the BMI of Canada hinges upon a provision of the Copyright Act of 1921 with respect to the revision of royalty fees to be collected which mentions "any such society, association or company which exercised in Canada a substantial control of the performing rights in dramatico-musical or musical works in which copyright subsists." This point may have considerable bearing on the acceptance by the board of proposed fees by the BMI for Canadian performing licenses because of the apparent requirement of "substantial control" in qualifications. The act also provides that applications are to be considered for fees for "the ensuing calendar year" which might be regarded as for 1942 and not for 1941, which would cause a year's delay for BMI in Canada.

Coin Machines Face St. John License Tax

ST. JOHN, N. B., Dec. 30.—The City Council of St. John is preparing to place a special tax or license on coin operated phonographs. The police have been assigned to check up on the machines, locations, operators and owners, and the board of assessors have completed a survey, recommending the tax. The city attorney is mulling over the legal aspects of this report. The machines have increased in number here about 400 per cent the past year, and are being heavily played.

Suit on Duvivier Pact

LOS ANGELES, Dec. 30.—Transcontinental Films today filed suit in Superior Court seeking to restrain Julien Duvivier, French director, from working for Korda Films until he has fulfilled an alleged agreement with the plaintiff to direct two films for $80,000. Korda Films is made a defendant.

Exchange Union Elects

PHILADELPHIA, Dec. 30.—Film Exchange Employes' Union, Local B-7, will install its newly-elected officers at a dinner to be held Jan. 10 at the Broadwood Hotel. The new slate is again headed by William Z. Porter, Monogram office manager; and James A. Flynn, business manager.

Union Reelects Hubbard

MINNEAPOLIS, Dec. 30.—C. J. Hubbard has been reelected president of Local 219 of the operators' union for the third year. All other officers were reelected except Horace Evans, business representative, who retired to be succeeded by W. J. Yutzy.

Skouras Trial to Jan. 7

Judge William Bondy yesterday postponed the trial of George P. Skouras to Jan. 7.

Theatre Changes

License Minneapolis Houses

MINNEAPOLIS, Dec. 30.—The City Council here has issued licenses to the Gayety Theatre, former burlesque house, to be operated by Irving Gillman under a double feature, subsequent run policy, and to the Minnesota theatre, to be reopened by Middle States Corp. under a vaudeville-film policy.

Bowles Shifts Managers

SAN FRANCISCO, Dec. 30.—Promotion of Howard J. Moody, treasurer of the Fox Theatre here, to manage the new Carlos Theatre in suburban San Carlos, was announced by A. M. Bowles, northern California manager of Fox-West Coast Theatres. Albert Mooney becomes the new treasurer at the Fox. Bowles also named Richard Warfield, house manager at the Warfield, to manager of the New Rialto Theatre in San Francisco.

Glazer Leaves Theatre Post

TORONTO, Dec. 30.—Albert Glazer, is relinquishing his position as manager of the Strand Theatre at Tillsonburg, Ont., to join the Royal Canadian Air Force on Jan. 6, and will be succeeded in that position by Jack Silverthorne, brother of O. J. Silverthorne, chairman of the Ontario Censor Board.

Owen to Build in Missouri

KANSAS CITY, Dec. 30.—George W. Owen, who has been in exhibition and vaudeville for 33 years, is building a new theatre at Seymour, Mo. The new house, to cost about $20,000, and seating around 400, will be built of native stone, and will be modern throughout.

Cassil Acquires Theatre

KANSAS CITY, Dec. 30. — Frank Cassil, who operates the Rialto, St. Joseph, Mo., has acquired the Rivoli there from Mrs. Anna Trilinski, who closed the theatre last week. Cassil will spend $10,000 remodeling, installing a new front and new seats, and will rename it the Uptown.

Planning Kansas Theatre

KANSAS CITY, Dec. 30.—F. L. Lowe, Sterling, Kan., who operates at Hoisington, Lyons and Hays, Kans., will build a new theatre in Lebanon, Mo., this Winter. The house will seat about 500. Lowe will make his home in Lebanon.

Plan Nova Scotia House

TRURO, N. S., Dec. 30.—A third picture theatre will be started in construction here by mid-January, by F. G. Spencer Co., already operating the Capitol and Strand here.

Named Assistant Manager

YORK, PA., Dec. 30.—Jerome Van Brackle has been promoted to assistant manager to Harry Olmstead at the Ritz here.

Woolfenden Joins Para.

HOLLYWOOD, Dec. 30.—John Woolfenden, who left the M-G-M publicity department last week, will join the Paramount publicity department Monday.

LIBRARY OF CONGRESS
0 007 551 565 0